

THE MADRAS LEGISLATIVE ASSEMBLY.

Wednesday, 1st April 1953.

The House met in the Assembly Chamber, Government Estate, Mount Road, at three of the clock, Mr. Speaker (THE HON. SRI J. SIVASHANMUGAM PILLAI) in the Chair.

1—QUESTIONS AND ANSWERS.

STARRED QUESTIONS.

Collective weaving centres.

* 251 Q.—SRI PRAGADA KOTAIAH: Will the Hon. the Minister for Industries and Labour be pleased to state whether representations were received recently by the Government for the starting of collective weaving centres in order to relieve handloom weavers from want of employment and if so, the action taken thereon?

THE HON. DR. U. KRISHNA RAO:—“ Yes, Sir. The question is under consideration of Government.”

SRI PRAGADA KOTAIAH:—“ In view of the fact that representations have been received by the Government, may I know, Sir, when the Government will take a decision on the matter? ”

THE HON. DR. U. KRISHNA RAO:—“ We are examining the matter. We have looked into the question, and we will come to a decision as early as possible.”

SRI C. V. K. RAO:—“ Have the Government, Sir, got any other proposals to relieve unemployment among weavers? ”

THE HON. DR. U. KRISHNA RAO:—“ Sir, this question relates to the formation of collective weaving centres.”

Representation regarding award of diplomas from the trainees of Co-operative Institute, Coimbatore.

* 252 Q.—SRI M. NARAYANA KURUP: Will the Hon. the Minister for Co-operation be pleased to state whether the Government have received any representation or memorandum from the trainees of Co-operative Institute, Coimbatore, requesting that diplomas may be granted instead of certificates as is the practice to-day and if so, what action has been taken?

THE HON. SRI D. SANJIVAYYA:—“ Yes, Sir. A report has been called for from the Registrar of Co-operative Societies and it is awaited.”

Admission into professional colleges.

* 253 Q.—

MR. SPEAKER:—“ The hon. Member Sri K. M. Seethi is not in his place. The question and answer will be printed in the proceedings.”

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SRI K. M. SEETHI: Will the Hon. the Minister for Public Works be pleased to state—

(a) the number of Muslims who applied for admission to the Medical College and the Engineering College in the last selection for admission to those colleges;

(b) how many of them were selected;

(c) how many of the selected Muslim students belonged to backward classes; and

(d) the number of Muslim students with first classes who were refused admission to those colleges?

THE HON. SRI N. RANGA REDDI:—

	Engineering Colleges.	Medical Colleges.
“(a) Number of Muslims who applied for admission during 1952-53.”	77	70
“(b) Number selected”	8	13
“(c) Number of selected Muslim candidates who belonged to backward classes.”	6	5
“(d) Number of Muslim students with first classes who were not selected :”	4	3”

Travelling medical vans.

* 254 Q.—SRI A. RATHINAM: Will the Hon. the Minister for Health be pleased to state—

(a) whether the Government have provided travelling medical vans with sufficient equipment to go to villages once in a week to give necessary help as recommended by the Harijan Welfare Committee at page 27 of their report; and

(b) if so, how many vans have been provided and what are the areas covered up?

THE HON. SRI A. B. SHETTY:—“(a) & (b) The answer is in the negative.”

SRI A. RATHINAM:—“May I know, Sir, why the Government have not implemented the recommendation of the Harijan Welfare Committee of 1948?”

THE HON. SRI A. B. SHETTY:—“Medical relief is a necessity for all people. It is not necessary to set apart an amount for this purpose particularly for Harijans only.”

SRI PILLALAMARRI VENKATESWARLU:—“Sir, why is the answer in the negative and not in the affirmative?” (Laughter.)

SRI T. NAGI REDDI:—“Sir, medical relief is necessary for all sections of the population. Hence, medical vans will be

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useful for both Harijans and others. Will the Government, therefore, consider the implementation of this recommendation not only for the benefit of Harijans but of others also, if they are not willing to provide them only for the relief of Harijans?"

THE HON. SRI A. B. SHETTY :—"The Government have under consideration the opening of mobile dispensaries."

Prohibition Sub-Inspectors.

* 255 Q.—SRI K. UPPI (on behalf of Sri K. M. Seethi) : Will the Hon. the Minister for Prohibition be pleased to state—

(a) the number of Prohibition Sub-Inspectors trained at the Bellary training school;

(b) the number trained at the Madras Prohibition Staff College;

(c) the number of Prohibition Sub-Inspectors taken into the regular Police force;

(d) the number of Muslims among Sub-Inspectors under (a) and (b);

(e) the number of Muslims under (a) and (b) qualified to be absorbed in the regular force; and

(f) the number of Muslims interviewed for selections and the number taken into the regular force?

THE HON. SRI V. C. PALANISWAMI GOUNDER :—" (a) 119 Sub-Inspectors were trained in the Prohibition Training School, Bellary.

" (b) The number of Sub-Inspectors trained in the Prohibition Staff College, Madras, was 95.

" (c) Sixty-four Prohibition Sub-Inspectors were taken into the regular Police Force.

" (d) The number of Muslims among Sub-Inspectors under (a) and (b) are 15 and 8 respectively.

" (e) & (f) Three Muslim Sub-Inspectors trained in the Prohibition Training School, Bellary, or Prohibition Staff College, Madras, were found eligible and all of them were interviewed. None of them were selected because better candidates were available for absorption in the Police Force."

SRI V. R. KRISHNA AYYAR :—" Sir, are Muslim Prohibition Sub-Inspectors posted to Malabar district? I want to know whether there is a ban against their being posted there."

THE HON. SRI V. C. PALANISWAMI GOUNDER :--
" Notice, Sir."

SRI T. NAGI REDDI :—" Prohibition work is attended to in a number of districts by the ordinary Police. Is it the opinion of the Government that the Prohibition staff should be posted even to those areas where the ordinary Police are now carrying on the Prohibition work?"

THE HON. SRI V. C. PALANISWAMI GOUNDER :--
" Notice, Sir."

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Drainage scheme for Vijayavada City.

* 256 Q.—SRI T. POTHARAJU: Will the Hon. the Minister for Health be pleased to state—

(a) whether the Government have any proposal of providing underground drainage scheme for Vijayavada City;

(b) whether the Vijayavada Municipal Council has recently passed any resolution requesting the Government to give administrative sanction to the scheme as proposed by the Chief Engineer and as adopted by the Council and for provision of a loan and grant to execute the scheme;

(c) whether the Government have accorded the necessary sanction and provided grants for the same; and

(d) when the scheme is expected to be commenced and finished?

THE HON. SRI A. B. SHETTY:—“(a) & (b) The answer is in the affirmative.

“(c) The scheme is under consideration.

“(d) The scheme will be commenced after sanction is accorded by the Government. The execution will be spread over a period of about eight years.”

SRI T. POTHARAJU:—“Sir, in which year were the estimates and plans completed?”

THE HON. SRI A. B. SHETTY:—“Detailed plans and estimates for the whole area have not yet been prepared, Sir.”

SRI K. RAJAGOPALA RAO:—“May I know, Sir, whether there is any proposal to postpone this scheme in view of the formation of the Andhra State?”

THE HON. SRI A. B. SHETTY:—“No, Sir.”

SRI M. VEERABHADRAM:—“How long will it take to accord sanction to this scheme, Sir?”

THE HON. SRI A. B. SHETTY:—“The question is being examined by the Local Administration and Finance Departments. It will be accorded approval as soon as this examination is over.”

SRI V. V. RAMASAMI:—“What is the priority in the Ten-Year Plan for this Vijayavada Municipality?”

THE HON. SRI A. B. SHETTY:—“Notice, Sir.”

SRI T. POTHARAJU:—“Sir, my question has not been answered. I am not asking about the whole plan itself, but only a part of the plan. I asked in which year the estimates were completed. That is my straight question.”

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THE HON. SRI A. B. SHETTY :—“ The town is proposed to be divided into four blocks. Plans for blocks I and II are ready.”

SRI T. NAGI REDDI :—“ Sir, in view of the formation of the Andhra State and the importance of Vijayavada, will the Government take steps immediately and see that the drainage scheme is sanctioned now? ”

THE HON. SRI A. B. SHETTY :—“ I have already said that the question is being examined by the Local Administration and Finance Departments.”

Representation from the Arthala Tea Estate Thozhilali Union.

* 257 Q.—**SRI K. P. GOPALAN :** Will the Hon. the Minister for Industries and Labour be pleased to state whether Government received any memorandum from the Secretary, Arthala Tea Estate Thozhilali Union on 6th February 1953, regarding the discharging of two maistries and 86 workers under them violating section 33 of the Industrial Disputes Act; and if so, what action has been taken thereon?

THE HON. DR. U. KRISHNA RAO :—“ A copy of memorandum, dated 6th February 1953, was received from the Secretary, Arthala Tea Estate Thozhilali Union, Kerala Estate P.O., Malabar, but no action was taken thereon as it was addressed to the Manager, Arthala Tea Estates, Limited, Kerala Estate P.O. and not to the Government.”

SRI K. P. GOPALAN :—“ Sir, if section 33 of the Industrial Disputes Act is violated by any management, the said Act says that legal action can be taken against the management. In this case, when the management has violated section 33 of the Act, what action have the Government taken? ”

THE HON. DR. U. KRISHNA RAO :—“ The Government take action when their attention is drawn to a dispute that has taken place saying that the management has done something, and that the workers are thereby affected harmfully. We received no such memorandum. The letter was addressed to the management, and a copy thereof was sent to the Government. The Government will not take action under section 33 of the Act on a copy of letter addressed to the management.”

SRI V. R. KRISHNA AYYAR :—“ The obvious idea of sending a copy of the Government is to draw their attention to the fact that a particular offence has been committed and request them to take action against the management. That being so, may I know they have not taken any action? ”

THE HON. DR. U. KRISHNA RAO :—“ My hon. Friend is a lawyer and he knows the difference between drawing one's attention and requesting one to take action. It is

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quite possible that it is a copy of the letter for the information of the Government. Unless a specific request is made, Government cannot take action *suo motu* under section 33."

SRI PILLALAMARRI VENKATESWARLU :—" May I know why the Government delayed taking action? Is it simply on some technical pretext or for some other reason? "

THE HON. DR. U. KRISHNA RAO :—" It is not a technical pretext. It is because of a lacuna in the method of approach. Unless legal steps are taken to bring the matter to the notice of the Government, action cannot be taken. The hon. Member must know that these are matters which will be taken on appeal either to the High Court or to the Tribunal."

SRI T. C. NARAYANA NAMBIAR :—" In view of the fact that the vast majority of the people—99.9 per cent of them—are not lawyers and pleaders, and in view of the fact that the workers have sent a copy of the representation to the Government in the full belief that the Government will see that justice is done to them, will the Government see that at least in future such representations are cared for properly? "

THE HON. DR. U. KRISHNA RAO :—" Sir, ignorance is no excuse in law. If representation is made to the Government in the proper manner, we will take action."

SRI T. NAGI REDDI :—" As the question is of great importance, did the Government at least reply to the Secretary stating that the Government cannot consider this question as the memorandum has been addressed to the Manager and that the same should be presented to the Government? If it had been done, the Secretary would have sent the memorandum in the proper manner to the Government. May I know why the Government have not done this? "

THE HON. DR. U. KRISHNA RAO :—" The Government got no letter. The letter was addressed to the management and a copy was received by us. We do not acknowledge such letters."

DR. K. B. MENON :—" Sir, ignorance is no excuse in law, but ignorance should certainly be an excuse with a good Government." (Laughter.)

THE HON. DR. U. KRISHNA RAO :—" It is a matter of opinion."

SRI S. C. C. ANTHONY PILLAI :—" Is it a fact that Government take action against workers who have called illegal strikes without representations being made to them by the employers? "

MR. SPEAKER :—" What has that to do with this question? "

THE HON. DR. U. KRISHNA RAO :—" It is a hypothetical question."

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Water-supply Scheme for Guntur.

* 258 Q.—SRI V. SRI KRISHNA: Will the Hon. the Minister for Health be pleased to state when the Government expect the Water-supply Scheme for the Guntur Municipality to be completed?

THE HON. SRI A. B. SHETTY:—“The Guntur Water-supply Scheme was programmed to be completed by March 1956, but it is expected to be finished earlier.”

SRI V. SRI KRISHNA:—“May I know whether the Hon. Minister will state the reasons for the failure of the Government to order for the filtering machine, the production of which will take three years?”

THE HON. SRI A. B. SHETTY:—“The Sanitary Engineer has reported that it would take at least three more years for completing the installation of drinking water pumpsets according to the tenders accepted by him. Efforts are being made to complete this scheme earlier.”

SRI VAVILALA GOPALAKRISHNAIAH:—“In view of the fact that there has been considerable delay in getting the necessary instruments, etc., will the Government consider the desirability of maintaining water in Kommanuri canal at Sangamjagarlemudi up to the level to supply sufficient water from the reservoir to Guntur?”

THE HON. SRI A. B. SHETTY:—“Emergency measures have been taken to meet the present water scarcity in Guntur.”

SRI M. HANUMANTHA RAO:—“May I know when the contract was given, whether it was unduly delayed and if so, why?”

THE HON. SRI A. B. SHETTY:—“I have already said that every effort is being made to complete the scheme earlier. Within two years I hope the scheme will be completed.”

SRI K. SUBBA REDDI:—“ఈ స్కీము నిష్పత్తి సమయమునందు ఆమెలకు ఉన్నది? ఇంకెంత కాలానికి పూర్తి అవుతుంది?”

THE HON. SRI A. B. SHETTY:—“Revised plans and estimates for the scheme were sanctioned in July 1950.”

SRI K. VENKAIAH:—“May I know whether the scheme has been delayed because of the transfer of the machines from Guntur to the South and whether measures are being taken by the Government to supply water to the city at present?”

THE HON. SRI A. B. SHETTY:—“I have already stated that the scheme will take three years and how efforts are being made to expedite it.”

SRI C. V. K. RAO:—“The Hon. Minister was pleased to state that the scheme was sanctioned in 1950 and its execution

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will be completed in 1956. The people of Guntur are already suffering a lot because of scarcity of drinking water. Does the Minister expect them to go without drinking water till 1956?"

THE HON. SRI A. B. SHETTY :—" I have said that emergency measures are being carried out to meet the present scarcity of drinking water and the people there are satisfied with the measures taken by us. I was there a short time ago along with the Sanitary Engineer and the people expressed their great satisfaction at the prompt action taken by the Government at present."

SRI K. VENKAIAH :—" The Hon. Minister has not answered my question. I asked him whether the scheme has been delayed as the machinery has been transferred from Guntur to the South. Will he give an answer at least now? "

THE HON. SRI A. B. SHETTY :—" Sir, several works in connexion with this scheme have already been completed. The summer storage tank work has been completed. Orders have been placed for the supply of raw water pumping plants. The laying of distribution system has been done. The construction of elevated service reservoirs in the high and low level areas has also been completed."

SRI V. SRI KRISHNA :—" The question is whether the Government have transferred a certain number of pipes from Guntur to the southern districts. Secondly, may I know whether the Government have failed to order for the filtering machinery in time and if so, what alternative arrangements have they made in this direction? "

THE HON. SRI A. B. SHETTY :—" I have already mentioned the action that is being taken. I am not aware of any transfer of pipes to the southern districts."

Prohibition Guards.

* 259 Q.—SRI K. P. GOPALAN : Will the Hon. the Minister for Prohibition be pleased to state whether it is a fact that the Prohibition Guards are not given increment according to service?

THE HON. SRI V. C. PALANISWAMI GOUNDER :—" No. The Prohibition Guards are granted increments according to service in the time-scale of Rs. 30— $\frac{1}{2}$ A—40. But Prohibition Guards who are appointed on temporary basis are not granted any increment."

SRI K. P. GOPALAN :—" Is it a fact that in Malabar increments are stopped and if such instances are brought to the notice of the Government, will the Hon. Minister take action? "

THE HON. SRI V. C. PALANISWAMI GOUNDER :—" Yes, Sir."

SRI T. C. NARAYANA NAMBIAR :—" Is it a fact that these Prohibition Guards are given definite instructions by the

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Government that unless they detect a prescribed number of cases, they will not be eligible for increment, nor will they be continued in their posts? "

THE HON. SRI V. C. PALANISWAMI GOUNDER :—" I want notice, Sir."

SRI K. VINAYAKAM :—" Does the Hon. Minister seriously believe that Prohibition will work properly when so low a salary is paid to the staff who are supposed to guard Prohibition? "

THE HON. SRI V. C. PALANISWAMI GOUNDER :—" That is the sanctioned scale, Sir."

SRI M. KALYANASUNDARAM :—" Why should there be a large number of staff on a temporary basis? Do the Government think that Prohibition itself is going to be temporary? "

THE HON. SRI V. C. PALANISWAMI GOUNDER :—"

" At first, they were appointed on a temporary basis. Now the policy of the Government is to recruit the staff on the basis of a certain standard so that it may be equivalent to the Police standard."

Alleged instructions by the Labour Officer, Malabar, to Handloom Factory owners regarding wage reduction.

* 260 Q.—SRI K. P. GOPALAN : Will the Hon. the Minister for Industries and Labour be pleased to state whether it is a fact that the Labour Officer of Malabar has issued instructions to the Handloom Factory owners of Chirakkal taluk, Malabar, on November 14, 1952, that they should take signatures from the workers stating that it is owing to the consent of the workers that wage reduction was made?

THE HON. DR. U. KRISHNA RAO :—" No, Sir."

SRI K. P. GOPALAN :—" In view of the fact that the Manager of the Raja Rajeswari Company, Malabar, has published a public notice saying that the Labour Officer has issued a circular that the management should take forcible signatures from the workers, and in view also of the fact that a copy of this public notice has already been sent to the Labour Commissioner and to the Hon. the Labour Minister and that this has resulted in so many dismissals and stay-in strikes in Chirakkal taluk, may I know why the Labour Department did not contradict that statement by saying that they did not issue this kind of circular? "

THE HON. DR. U. KRISHNA RAO :—" We are satisfied that our Labour Officers did not issue any such instruction at all."

SRI PILLALAMARRI VENKATESWARLU :—" Is it a fact that such instructions were issued and that they were being brought to the notice of the Government? "

THE HON. DR. U. KRISHNA RAO :—" I have categorically denied both the allegations, Sir."

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Compensation for the families of the victims of Krishna Anicut accident.

* 261 Q.—SRI T. POTHARAJU : Will the Hon. the Minister for Public Works be pleased to state—

(a) whether any compensation has been sanctioned to the families of the three workers who died in the Krishna Anicut accident;

(b) if so, what was the amount?

(c) whether the amount has been paid to the respective families and if not, why not;

(d) whether the Government have received any representations from the P.W.D. Workers' Union, Vijayavada, requesting the Government to provide permanent maintenance to the families of the three workers who died in Krishna Anicut accident; and

(e) if so, the action taken thereon?

THE HON. SRI N. RANGA REDDI :—“(a) & (b) The following amounts have been sanctioned by the Chief Engineer (Irrigation) and deposited in the Court of the Commissioner for Workmen's Compensation, Madras :—

	RS.
To the family of Sri Venkateswaralu	1,500
Do. „ Subbarao	1,200
Do. „ Raghavulu	1,200

“(c) The Commissioner for Workmen's Compensation, Madras, will arrange for payment after making the enquiries prescribed in the Rules.”

“(d) & (e) Yes; a copy of the resolution passed at the conference of the P.W.D. Workers' Union, Vijayavada, on 8th February 1953, under the presidentship of the hon. Member has been received. It is under consideration.”

SRI T. POTHARAJU :—“In view of the supreme sacrifice that they have made in the interests of the nation and in view of the fact that these three workers were the only bread-winners of their families, will the Government consider the necessity of granting their families more amounts so that they may be properly fed?”

THE HON. SRI N. RANGA REDDI :—“Some amounts have already been sanctioned. The hon. Gentleman presided over a conference and has asked for a greater amount to be sanctioned. The question is under consideration.”

SRI R. VENKATA JAGGA RAO :—“పేరు కూడా దీక్ష చేయవచ్చుకొంటుంది కాబట్టి, రాజీయ పాథకులువలె నీరికీ కూడా ఏ ఎకరముల భూమి చొప్పున దీక్ష భూనికి ప్రభుత్వంవారికి అందజేసే ప్రయత్నం చేయాలి?”

SRI T. NAGI REDDI :—“Sir, no answer has been given. Why is the Hon. Minister shy of giving the answer?”

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Report of the Indian Finance Commission.

* 262 Q.—SRI VAVILALA GOPALAKRISHNAIAH: Will the Hon. the Minister for Finance be pleased to place on the table of the House a copy of the report by the Indian Finance Commission headed by Sri Neogi and also a copy of the memorandum of the Madras Government to it, and if not, the reasons for the same?

THE HON. SRI C. SUBRAMANIAM:—“The Report of the Finance Commission has been published by the Government of India and copies may be available with the Manager, Government of India Press, New Delhi. A copy is available for reference in the Legislature Library.”

Copies of the Memoranda submitted by the Madras Government to the Finance Commission are also placed in the Legislature Library for reference by the hon. Members.”

SRI VAVILALA GOPALAKRISHNAIAH:—“In view of the fact that the excise contribution is curtailed on the basis of the recommendations of the Finance Commission, do the Government propose to request the Government of India to increase the contribution?”

MR. SPEAKER:—“The main question is about placing a copy of the Report of the Finance Commission on the table of the House. The hon. Member wants to go into the details of the Report. He may give notice of a separate question.”

SRI K. VINAYAKAM:—“Assuming that the Hon. the Finance Minister is hinting that we should purchase the copies ourselves, may I know what the price of a copy is?”

THE HON. SRI C. SUBRAMANIAM:—“I will have to find out and tell the hon. Member.” (Laughter.)

SRI T. NAGI REDDI:—“Sir, we are told that the Government have placed one copy of the Report in the Legislature Library. Naturally, one copy is not enough for 375 hon. Members. Will the Government take into consideration the necessity of supplying copies to all and making arrangements for that?”

THE HON. SRI C. SUBRAMANIAM:—“As soon as copies are available, they will be supplied to the hon. Members. We got only a very few copies from the Government of India and, therefore, a copy has been placed in the Legislature Library.”

SRI VAVILALA GOPALAKRISHNAIAH:—“No copy has been placed in the Legislature Library up to this minute, Sir.” (Laughter.)

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Memorandum from the Malabar Trade Union Council.

* 263 Q.—SRI K. P. GOPALAN : Will the Hon. the Minister for Industries and Labour be pleased to state—

(a) whether the Government received any memorandum, dated 4th February 1953, from the Malabar Trade Union Council to make necessary changes in the rules issued under the Industrial Disputes Act by allowing joint petition by the workers before the Industrial Tribunal or Appellate Tribunal if the management contravenes section 33 of the Industrial Disputes Act; and

(b) if so, what action the Government have taken thereon?

THE HON. DR. U. KRISHNA RAO :—“(a) Yes, Sir.

“(b) The matter is under the consideration of the Government.”

SRI K. P. GOPALAN :—“While allowing joint petition by the workers before the Industrial Tribunal or Appellate Tribunal, will the Government be pleased to see that the workers are allowed not to affix any Court-fee stamp on the petition, as is allowed to the capitalists?”

THE HON. DR. U. KRISHNA RAO :—“The matter will be examined.”

Visit of Admiral Wright to Madras.

* 263-A Q.—SRI M. KALYANASUNDARAM : Will the Hon. the Chief Minister be pleased to state whether Admiral Wright was treated as a State Guest during his visit to Madras?

THE HON. SRI C. RAJAGOPALACHARI :—“No, Sir, he lived in his own flagship and there was no need to treat him as a State Guest.”

SRI M. KALYANASUNDARAM :—“Did the Admiral visit our City at the request either of the Madras Government or of the Government of India? Or, did he impose himself on our City?”

THE HON. SRI C. RAJAGOPALACHARI :—“The alternatives do not exhaust the situation. He visited our City because he had a right to visit such places. It is an international right. There was no invitation and there is no imposition whatsoever.”

SRI T. NAGI REDDI :—“I am surprised at the answer that people like Admirals have a right to visit our cities. May I know whether it is the natural right or the right that an American Admiral gets?”

THE HON. SRI C. RAJAGOPALACHARI :—“All international ships have that right.”

SRI R. V. SWAMINATHAN :—“May I know from the Hon. the Chief Minister whether it is wrong to treat such important visitors to our State as our State Guests?”

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THE HON. SRI C. RAJAGOPALACHARI :—" No, Sir. It is not wrong. I said that there was no necessity because he had his own ship."

SRI K. VINAYAKAM :—" May I know whether the Hon. the Chief Minister paid a visit to this flagship and, if so, what matters were talked about then? " (Laughter.)

MR. SPEAKER :—" It has nothing to do with the main question. Next question No. 263-B."

THE HON. SRI C. RAJAGOPALACHARI :—" Sir, I need not answer the question, but if it is left like that, it is likely to be misunderstood. The Admiral paid a call on the Chief Minister of Madras as he felt he was, in courtesy, bound to do so, and I visited the ship out of my own curiosity and as a return for the courtesy."

SRI VAVILALA GOPALAKRISHNAIAH :—" On a point of order, Sir, when the Speaker has disallowed a question, how can the Chief Minister or anybody give an explanation? " 3-30 p.m.

MR. SPEAKER :—" I have not disallowed the question. What I said was it did not arise out of the main question. The hon. Member knows that the other day a point of order was raised on this point whether a Minister could refuse to answer a question on the plea that it was not in public interest to answer the question. In that connection, I must tell the House that a Minister can also answer a question in public interest. Suppose a Member gives notice of a question and later on when it comes up for answer in the Assembly he says that he is not putting the question. Even then, a Minister can answer it in public interest if he thinks it necessary to do so."

SRI T. NAGI REDDI :—" There is necessity for further explanation, Sir. If a Minister refuses to answer a question in public interest, have not the Members got a right to ask further questions in public interest to see that proper answers are given? "

THE HON. SRI C. RAJAGOPALACHARI :—" May I add to the discussion? In this particular case, a certain demand was made to declare what was talked about and I wanted to make it clear that it was all a courtesy visit and that there was nothing to be kept back from the House. Therefore, I answered the question. As regards the rights about public interest and rights arising out of public interest, I think the Government are entitled to speak about public interest, and the Opposition is entitled to ask questions for information."

SRI PILLALAMARRI VENKATESWARLU :—" On another point of order, Sir, (laughter) we are already in the next question. How can the Chief Minister make a statement now? "

MR. SPEAKER :—" The very fact I allowed the Chief Minister to answer means that he can answer."

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THE HON. SRI C. RAJAGOPALACHARI :—“ Even the Speaker has some rights! ” (Laughter.)

SRI PILLALAMARRI VENKATESWARLU :—“ My point is this. We have passed on to the next question. Now the Chief Minister gets up and makes a statement. I would like to know for information whether it is right so that we may conduct our business in the proper manner. Has he a right of replying after the question is over? If he wants, let him make a statement at the appropriate time.”

MR. SPEAKER :—“ The very fact the Speaker allowed the Chief Minister to answer means that he feels that the Chief Minister has a right to answer.”

Report of the Government to the Gadgil Committee.

* 263-B Q.—SRI G. RAMA RAO : Will the Hon. the Minister for Finance be pleased to place on the table of the House a copy of the report submitted by the Government to Gadgil Committee?

THE HON. SRI C. SUBRAMANIAM :—“ The Madras Government did not submit any report to Gadgil's Committee. They furnished only certain factual information required by the Committee such as strength of staff up to various pay limits, rates of dearness allowance and house rent allowance, total expenditure on pay and dearness allowance, etc.”

SRI G. RAMA RAO :—“ May I know whether the Government consider it necessary to implement the recommendations of the Gadgil Committee? ”

THE HON. SRI C. SUBRAMANIAM :—“ That does not arise now.”

SRI M. KALYANASUNDARAM :—“ Are the Government of Madras aware of the recommendations of the Gadgil Committee and the decisions of the Government of India thereon? ”

THE HON. SRI C. SUBRAMANIAM :—“ I have read a report in the newspapers.”

Relief measures in Kadiri and Penukonda taluks.

* 263-C Q.—SRI K. V. VEMA REDDI : Will the Hon. the Minister for Land Revenue be pleased to state—

(a) whether severe drought conditions in the famine-affected areas of Kadiri, Penukonda and Dharmavaram taluks in Anantapur district were brought to the notice of the Government by the District authorities and the public of Anantapur district in the months of January and February 1953; and

(b) if so, what action was taken thereon?

THE HON. SRI M. A. MANICKAVELU NAICKER :—“ (a) A representation was received from Sri T. Lakshminarayana Reddy, M.L.A., regarding the prevalence of acute distress in Kadiri and Penukonda taluks. No such representation in

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respect of Dharmavaram taluk was received. Periodical reports are received from the Collector about the conditions in the district.

(b) The three taluks are already considered as drought affected and all possible action to afford relief to the affected persons has been taken such as starting of relief works, opening of gruel centres, grant of loans and postponement of kist collections pending sanction of land revenue remission."

SRI K. V. VEMA REDDI :—" In view of the persistent drought conditions in the three taluks, may I request the Hon. the Minister for Revenue to see that more relief works are started in those areas? "

MR. SPEAKER :—" The hon. Member is making a suggestion to the Government."

SRI T. NAGI REDDI :—" In view of the fact that the Government have admitted that there are drought conditions in these three taluks, may I know the number of gruel centres that are run in each taluk, the number of work centres that are being run and the number of persons that are working in them? "

THE HON. SRI M. A. MANICKAVELU NAICKER :—" There are at present 54 road works, six tank improvement works, 122 rural water-supply works, 49 minor irrigation works, one Upper Pennar Project work and 20 other works. Out of 139 gruel centres, 138 are in Kadiri taluk. The Board of Revenue has sanctioned opening of more gruel centres in B class areas like Penukonda and Dharmavaram."

SRI T. NAGI REDDI :—" Out of 139 gruel centres, we are told that 138 are in Kadiri taluk. May I know whether the Government do not feel that Penukonda and Dharmavaram taluks are drought-affected areas as the Hon. Minister had admitted in his answer to the main question? If so, why is it that both the taluks have only one gruel centre? Does he expect all the drought-affected people of these two taluks to go to the one gruel centre opened for them and have their gruel there? "

THE HON. SRI M. A. MANICKAVELU NAICKER :—" Sir, Kadiri taluk is treated as A class area and Penukonda and Dharmavaram are treated as class B areas. Sanction has already been given to start gruel centres and when necessity arises for more centres, then they will be opened."

SRI R. SIDDANNA GOWD :—" What are the recommendations of the Collector with respect to opening of gruel centres in the Madagasira taluk where adverse seasonal conditions exist? "

MR. SPEAKER :—" We are on three particular taluks. The hon. Member may put a separate question."

SRI T. LAKSHMINARAYANA REDDI :—" In view of repeated representations by M.L.As. and the people, will the

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Government immediately start gruel centres in Penukonda, Kadiri and Dharmavaram taluks also and have some more relief works there? "

THE HON. SRI M. A. MANICKAVELU NAICKER :—
" Sanction has already been given and the local officers will decide the question."

SRI C. SUBBARAYUDU :—" May I know the number of people that are employed in all the works in all the taluks? "

THE HON. SRI M. A. MANICKAVELU NAICKER :—" Why not I have notice, Sir? "

SRI D. SEETHARAMIAH :—" May I know when the Government will open gruel centres in Dharmavaram and Penukonda taluks? "

THE HON. SRI M. A. MANICKAVELU NAICKER :—" I have already said that the Collector will take care of the matter."

SRI T. NAGI REDDI :—" The point is what action the Government have taken on the representations made by the public and the M.L.As. in January and February, how long they will take to consider the report that is to be received from the District Collector and how long after that they will take to open gruel centres in Dharmavaram and Penukonda."

THE HON. SRI M. A. MANICKAVELU NAICKER :—" I have already said that the matter is entirely left to the Collector, sanction having been given. Now a report is awaited with regard to remission of kist."

Memorandum from the Jaggery Production Co-operative Society, Cherukunnu, North Malabar.

* 263-D Q.—SRI K. P. GOPALAN: Will the Hon. the Minister for Rural Welfare be pleased to state whether the Government have received any memorandum or resolution from the Jaggery Production Co-operative Society, Cherukunnu, North Malabar, recently regarding the exemption from sales tax on sales effected by the society and if so, what action has been taken thereon?

THE HON. SRI S. B. P. PATTABHI RAMA RAO :—" No representation has been received by the Government from the Jaggery Production Co-operative Society, Cherukunnu, regarding exemption from sales tax of the sales effected by the society."

Memorandum from the villagers of Sakhamur, Guntur district.

* 263-E Q.—SRI V. SRI KRISHNA: Will the Hon. the Minister for Land Revenue be pleased to state—

(a) whether the Government have received any memorandum from the villagers Sakhamur, Tadikonda firka, Guntur district in the month of November 1952 regarding the assignment of a tank to political sufferers belonging to another taluk;

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(b) whether it is a fact that in the year 1911, the Harijans of the village and in the years 1942-49 some ex-army personnel were applicants for the same tank;

(c) whether it is a fact that these applications were rejected;

(d) if so, on what grounds;

(e) whether the village officers of the surrounding villages submitted a memorandum to the Chief Minister on this issue; and

(f) what action the Government have taken on these memoranda?

THE HON. SRI M. A. MANICKAVELU NAICKER :—“(a) Yes, Sir.

“(b) to (d) Information is not readily available at this distance of time.

“(e) No, Sir.

“(f) The assignments had been finalised and completed over two years ago and nothing can legally be done now.

The petition received from the villagers of Sakhamur was, therefore, rejected.”

SRI V. SRI KRISHNA :—“In view of the fact that the Government received the memorandum a long time back, why is it that they are not in a position to get the information up to this moment?”

THE HON. SRI M. A. MANICKAVELU NAICKER :—“Sir, that is with reference to only one particular class. Some details were wanted then. But now it is more than two years and these small details could not be got readily.”

Representations from the Inferior Servants' Association.

* 263-F Q.—SRI G. RAMA RAO : Will the Hon. the Minister for Finance be pleased to state—

(a) whether the Inferior Servants' Association in the State represented to the Government to increase their salaries and allowances; and

(b) if so, what action the Government have taken in the matter?

THE HON. SRI C. SUBRAMANIAM :—“(a) Yes; a copy of the resolutions passed at the IV Annual Conference of the Association was received by the Government.

“(b) The requests of the Association for increase in pay, dearness allowance, house rent allowance, etc., were examined by Government. It was considered that the grant of the requests would involve large extra expenditure to the Government which could not be undertaken in view of the present difficult financial position. The President of the Association has accordingly been informed that the Government are unable to comply with the requests at present.”

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SRI G. RAMA RAO :—“ May I know what is the difficulty of the Government in making a further cut in the salaries of the highly paid people and paying the amount saved to the low paid Government servants? ”

THE HON. SRI C. SUBRAMANIAM :—“ Sir, as far as the present cut is concerned, it gives us only about Rs. 5 lakhs and it is hardly sufficient even to give an increase of 4 annas per mensem to the subordinate officials.”

SRI C. RAJAM RAMASWAMI :—“ Will the Hon. Minister reconsider the position after the separation of the Andhra State as this category of Government servants are hard hit? ”

THE HON. SRI C. SUBRAMANIAM :—“ Sir, as I have already said in my answer *at present* we are not able to pay more. Certainly when the position improves, we are prepared to reconsider the question.”

SRI S. DEIVASIGAMANI :—“ Sir, would the Government at least consider to give these inferior Government servants, house rent allowance? ”

THE HON. SRI C. SUBRAMANIAM :—“ Sir, I have already said that when our financial position improves, I shall reconsider all the representations made.”

SRI V. R. KRISHNA AYYAR :—“ Sir, since it is absolutely essential that the Government servants ought to be given a subsistence wage and since they cannot wait till the financial position of the Government improves, will the Government consider giving some relief immediately and not put off their relief till the financial position of the Government improves substantially? ”

THE HON. SRI C. SUBRAMANIAM :—“ Sir, the Government themselves are in need of relief now and therefore they are finding out ways of improving their finances.”

SRI C. RAJAM RAMASWAMI :—“ Will the Government at least consider increasing the daily batta of these servants from Re. 0-12-0 to Re. 1-4-0 whenever they travel on tour with the officers? ”

THE HON. SRI C. SUBRAMANIAM :—“ That is one of the demands made in the representation. I do not think Government will be able to consider any of the demands at the present juncture.”

SRI R. V. SWAMINATHAN :—“ Sir, why are these particular class of Government servants called ‘ Inferior Government Servants ’? May I know whether they cannot be designated by some other words instead of these? ”

THE HON. SRI C. SUBRAMANIAM :—“ Certainly, Sir, we will consider this and we will find out suitable words for these classes of Government servants.”

SRI G. LATCHANNA :—“ Sir, when can we expect an improvement in our financial position? ”

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THE HON. SRI C. SUBRAMANIAM :—“ Let us wait for the separation of the Andhra State and then see how far the situation improves or deteriorates.”

SRI V. BALAKRISHNAN :—“ Sir, does the Hon. the Finance Minister seriously think that Re. 0-12-0 a day would be sufficient for a man's subsistence? ”

THE HON. SRI C. SUBRAMANIAM :—“ Sir, there are persons who are living even without this 12 annas. So it depends on the person concerned.”

SRI K. VINAYAKAM :—“ Sir, the Hon. the Finance Minister said that Government themselves were in need of relief. Will the Hon. Minister consider the desirability of taking the relief from the very same class of inferior Government servants if they are prepared to relinquish their salaries? ”

THE HON. SRI C. SUBRAMANIAM :—“ Sir, I am prepared to take the relief from the hon. Member if he is prepared to give up his salary.” (Laughter.)

SRI T. NAGI REDDI :—“ Sir, in view of the promises made by all the parties in the country before Independence that the maximum wages should be reduced to Rs. 500 per mensem and in view of the economic stringency that the State is now facing, would the Government cut salaries above Rs. 500 and increase the salaries of low paid people at least a little? ”

THE HON. SRI C. SUBRAMANIAM :—“ This question does not arise out of the main question. But still I would like to inform the hon. Member that our State alone cannot take action on that line. We have to fall in line with the Government of India in these matters.”

Representations from the Non-Gazetted Officers' Association.

* 263-G Q.—SRI G. RAMA RAO : Will the Hon. the Minister for Finance be pleased to state—

(a) whether the Government have received any representation from the Association of the Non-Gazetted Officers of the State pointing out inequalities, disparities and anomalies in the scales of pay fixed according to the revised scales of pay in 1947; and

(b) if so, what action the Government have taken in the matter?

THE HON. SRI C. SUBRAMANIAM :—“ (a) & (b) The Non-Gazetted Officers' Association made representations regarding certain inequalities, disparities and anomalies in the revised scales of pay sanctioned by the Government in 1947, as for example, that the increase in the scales of pay of different services was not made on a uniform basis, that persons who had reached the maximum of their pay-scales got no relief, etc. The Government examined the representations of the Association but found that the suggestions made by it were not

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acceptable, as they were not in conformity with the principles adopted by the Government in connexion with the revision of the pay-scales in 1947. The Government informed the Association accordingly. The Association was also informed that if individual cases of hardship or anomalies were brought to their notice due consideration would be given to them. Subsequent to the general revision of the pay-scales in 1947, the Government made a further revision of the scales of pay of certain posts, when they felt that the scales were inadequate or caused anomalies (e.g.), Peons, Compounders in medical institutions, Health Inspectors, Shroffs, etc."

Formation of a Land Colonization Co-operative Society in Bapatla taluk.

* 263-H Q.—SRI V. SRI KRISHNA: Will the Hon. the Minister for Co-operation be pleased to state—

(a) whether the Government have received any representation from the villagers of Perali of Bapatla taluk, Guntur district requesting the Government to form a Land Colonization Co-operative Society and assign the 1,500 acres of cultivable waste lying around;

(b) whether the District Collector of Guntur had submitted any proposals in this matter; and

(c) the steps the Government have taken in the matter?

THE HON. SRI D. SANJIVAYYA :—“(a) & (b) The answer is in the negative.

“(c) In view of the answer to clauses (a) and (b) this question does not arise.”

SRI V. SRI KRISHNA :—“Sir, in view of the information given in my question itself that 1,500 acres of waste lands are there, will the Government consider at least now to organize co-operative societies for the landless poor?”

MR. SPEAKER :—“The hon. Member may give notice of a separate question.”

Restrictions of the number of seats in the bus route between Sendurai and Madanathur, Tiruchirappalli.

* 263-I Q.—SRI K. R. VISWANATHAN: Will the Hon. the Minister for Industries and Labour be pleased to state—

(a) whether the Regional Transport Authorities are empowered to determine or limit the number of seats that should be fixed to a bus irrespective of the full seating capacity of the bus;

(b) if so, the circumstances under which they could so restrict; and

(c) the reasons for restricting the number of seats to 18 only in Selvam Motor Service running between Sendurai and Madanathur in Udayarpalayam taluk, Tiruchirappalli district?

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THE HON. DR. U. KRISHNA RAO :—“(a) The answer is in the negative.

“(b) Does not arise.

“(c) In regard to opening of the route Sendurai to Madanathur, the Divisional Engineer (Highways) advised the Regional Transport Authority, Tiruchirappalli, that any increase in the bus traffic on the sector Jayakondam to Madanathur, will tell upon the surface of the road. As, however, there was demand for additional transport facilities, the Regional Transport Authority gave permits restricting the seating capacity of the bus to 18 excluding the driver and the conductor.”

SRI K. R. VISWANATHAN :—“Sir, in view of the fact that another service by name Soundaram Transport Service is permitted to run with a capacity of 40 or more seats, do the Government think that permitting this bus service also to run with full capacity will affect the condition of the road?”

THE HON. DR. U. KRISHNA RAO :—“Sir, the service referred to by the hon. Member was already in existence. This is a new service and we were advised that the road will not stand a 40-seater bus and therefore we gave permit to a 18-seater bus.”

MR. SPEAKER :—“Before we take up the next item on the agenda, I wish to explain to the House the point of order raised by Sri V. Gopalakrishnaiah, regarding answering of questions by Hon. Ministers. The Hon. Minister may on grounds of public interest or some other ground decline to answer a question. Ministers have also been allowed on the ground of public interest to answer a question appearing on the notice paper but not put. Suppose a Member puts a supplementary question and the Speaker says it does not arise out of the main question, and the Minister says in public interest he wants to answer that particular question. Speakers have allowed that, though the supplementary question does not arise out of the main question.”

SRI C. V. K. RAO :—“Does that not involve ignoring the advice of the Hon. Speaker?”

MR. SPEAKER :—“In the public interest, the Minister can answer the question. Speakers have allowed such answers. (Many hon. Members stood up in their seats.) I am not going to allow any more discussion on the subject.”

SRI K. RAJAGOPALA RAO :—“I do not want to discuss that question, Sir. I want to refer to another important matter. Whenever Ministers refuse to answer questions they can say so instead of keeping quiet. The House is not able to understand the Hon. Minister if he keeps quiet. What I would request you is to instruct them to express their opinion.”

MR. SPEAKER :—“I have already informed the House that the Speaker cannot give directions to the Hon. Ministers.”

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SRI C. V. K. RAO :—“ Does it mean that the Hon. Ministers can sit mum? ”

MR. SPEAKER :—“ I have already said that the House has other weapons in its hands.”

[Note.—An asterisk (*) at the commencement of a speech indicates revision by the Member.]

II.—GOVERNMENT MOTION.

MOTION UNDER RULE 24 OF THE MADRAS ASSEMBLY RULES.

THE HON. SRI C. SUBRAMANIAM :—“ Sir, I beg to move—
‘ That rule 24 of the Madras Assembly Rules be suspended and the House do resolve to transact Government business on Thursday, the 2nd April 1953.’ ”

“ Sir, this will have reference only to the morning session, that is, from 8-30 a.m. to 1-30 p.m. We may reassemble in the afternoon at 3 p.m. and sit till 6 p.m. and transact non-official business.”

MR. SPEAKER :—“ The motion is—
‘ That rule 24 of the Madras Assembly Rules be suspended and the House do resolve to transact Government business on Thursday, the 2nd April 1953.’ ”

SRI G. LATCHANNA :—“ May I know, Sir, when this sitting will come to a close? ”

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p.m.

* SRI T. NAGI REDDI :—“ Sir, last time when we discussed about the evening session, we accepted it as a temporary measure. The point is the evening session would be a short session and the morning session a longer one. Morning time is interesting because we are all fresh. Evening time is very dull because we will be tired. The point is whether the non-official business should come in the evening and the official business in the morning or the non-official business should come in the morning and the official business in the evening. I feel we can finish off the non-official resolutions in the morning when we are fresh.”

* THE HON. SRI C. SUBRAMANIAM :—“ Sir, as a matter of fact this arrangement was first agreed to by Mr. Nagi Reddi and other leaders. It was further represented that, if it was possible we could have non-official business in the evening and I agreed to that. After all, non-official business is more interesting even though we sit in the evening. Even though we get tired, because it is interesting, we can conduct the non-official business in the evening. Official business is generally dull and let us therefore take it up in the morning session when we are fresh.”

SRI V. BALAKRISHNAN :—“ I think we are doing our work amidst the dead heat. Cannot the Speaker save us by applying the provisions of the Shop Assistants Act to us also? ”

* SRI VAVILALA GOPALAKRISHNAIAH :—“ Sir, we are given only limited opportunities. But even that the Hon. Minister is taking away.”

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MR. SPEAKER :—" The Leader of the House has consulted the Leader of the Opposition and other party leaders before bringing in this motion."

* SRI VAVILALA GOPALAKRISHNAIAH :—" In the motion there is no mention of the non-official business. It means only official business will come up tomorrow. In whatever way rule 24 is read, it says nothing about the non-official business. It should be clear in writing and not merely in the word of the Hon. Minister."

MR. SPEAKER :—" After mutual understanding, Government have agreed to take up non-official business in the evening."

* THE HON. SRI C. SUBRAMANIAM :—" Sir, I suppose my word is more important than any formal mention of this in the motion. I gave the assurance that we would sit in the evening from 3 p.m. to take up the non-official business. I hope he will be satisfied with my word."

MR. SPEAKER :—" The question is—

' That rule 24 of the Madras Assembly Rules be suspended and the House do resolve to transact Government business on Thursday, the 2nd April 1953.' "

The motion was carried.

SRI T. NAGI REDDI :—" Sir, are we sitting today till 7 in the night? "

THE HON. SRI C. SUBRAMANIAM :—" We would like to sit till 7 o'clock because we have assembled only at 3 p.m."

SRI PILLALAMARRI VENKATESWARLU :—" We can sit till the Lignite (Acquisition of Land) Bill, 1953, is over."

THE HON. SRI C. SUBRAMANIAM :—" We can finish all the Bills if Mr. Venkateswarlu co-operates."

THE HON. SRI C. RAJAGOPALACHARI :—" Mr. Venkateswarlu will not co-operate under any circumstances."

SRI V. SRI KRISHNA :—" When will this sitting come to a close, Sir? "

THE HON. SRI C. SUBRAMANIAM :—" I was hoping to finish all the business by the 4th April. But we may have to sit on the 6th and 7th April also."

III.—GOVERNMENT BILLS.

(1) THE MADRAS LIGNITE (ACQUISITION OF LAND) BILL, 1953.

* THE HON. DR. U. KRISHNA RAO :—" Mr. Speaker, I beg to introduce the Madras Lignite (Acquisition of Land) Bill, 1953, and move—

' That the Bill be taken into consideration at once.'

[Dr. U. Krishna Rao]

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Sir, the need for this Bill and its provisions is mentioned in the Statement of Objects and Reasons appended to the Bill. As Members are aware, the industrial development of the State in many directions is held up for want of adequate supplies of fuel at reasonable cost. The exploitation of lignite will help not merely in supplying fuel to the industries and for domestic use, for generation of power and for railways, but will also help in the establishment of several new industries. The work on the pilot project has commenced on the 5th March and work is proceeding with speed. As and when the project is completed and lignite is successfully mined, the area of 100 square miles in which it lies, will acquire a new value. This value should not be exploited by the owners or by the transferees who have done nothing to earn it and the exploitation of lignite should be at a cost which is economic. The Bill therefore freezes the value at the average price of this land before the mining operations were started in 1947. This value will be only in respect of land Government themselves may require."

MR. SPEAKER :—" Motion moved—

' That the Madras Lignite (Acquisition of Land) Bill, 1953, be taken into consideration at once.'

" Is the hon. Member, Sir Vavilala Gopalakrishnaiah, moving his amendments? "

* SRI VAVILALA GOPALAKRISHNAIAH :—" I am not moving my amendment, Sir."

* SRI S. RAMALINGAM :—" Mr. Speaker, I beg to move—

' That the Madras Lignite (Acquisition of Land) Bill, 1953, be referred to a Select Committee.'

" கனம் மந்திரி அவர்கள் கொண்டு வந்திருக்கிற மசோதாவிலுள்ள முக்கியமான இந்த அம்சங்கள் என்னவென்று புரிந்துக்கொள்ள முடியாத நிலையில் சபையில் பல அங்கத்தினர்கள் இருக்கிறார்கள். இது மட்டும் அல்ல; கனம் மந்திரி அவர்கள் அந்த மசோதாவிற்குத் திருத்தம் கூட கொண்டு வந்திருக்கிறார்கள்; அதிலிருந்து சர்க்காரே இன்னும் சரியான முடிவிற்கு வந்து விட்டார்களா என்று என்னால் புரிந்துக்கொள்ள முடியவில்லை. ஆகையால் இந்த மசோதாவை உடனடியாக நிறைவேற்றாமல் அதை ஒரு பொறுக்குக் கமிட்டிக்கு விட்டு பிறகு சட்டமாகக் கொண்டு வந்தால் நன்றாக இருக்கும் என்பது என்னுடைய அபிப்பிராயம்."

MR. SPEAKER :—" The amendment of Sri S. Ramalingam falls through for want of a seconder."

" The hon. Member, Sri D. Seetharamaiah, may move his amendments formally and then the motion as well as the amendments will be before the House for discussion."

* SRI D. SEETHARAMIAH :—" Mr. Speaker, I beg to move—

' That the Madras Lignite (Acquisition of Land) Bill, 1953, be referred to a Select Committee.'

' That the Madras Lignite (Acquisition of Land) Bill, 1953, be circulated for the purpose of eliciting public opinion.' "

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SRI S. DEIVASIGAMANI :—Sir, I second the amendments moved by my hon. Friend, Sri D. Seetharamiah."

MR. SPEAKER :—" Motions moved—

' That the Madras Lignite (Acquisition of Land) Bill, 1953, be referred to a Select Committee.'

' That the Madras Lignite (Acquisition of Land) Bill, 1953, be circulated for the purpose of eliciting public opinion.'

" Now, the motion as well as the amendments are before the House for discussion."

* SRI D. SEETHARAMIAH :—" Mr. Speaker, Sir, this Bill ^{4 p.m.} is a very important measure and affects the interests of several hundreds (An hon. Member: 'Several thousands'). My hon. Friend says that the interests of several thousands of peasant families will be affected and I agree and therefore, this Bill has got to be studied deeply. For that purpose, it has got to be sent to a Select Committee so that a certain number of picked people might subject the Bill to a thorough scrutiny, go into the *pros* and *cons* of the measure and come to a proper decision. As I said at the beginning, there are a number of small peasants owning small bits of lands and their interests will have to be safeguarded because the acquisition value of the land that will be paid to them will not at all be adequate and they must be paid more. In order to consider all these things and to safeguard the interests of the small peasants owning small bits of land, I wish this Bill should be referred to a Select Committee."

* THE HON. DR. U. KRISHNA RAO :—" Mr. Speaker, Sir, I wish to clear the doubts of hon. Members. Let me assure hon. Members that there is nothing complicated in this Bill and it is a very simple measure. The fact that lignite has been available in this area has been known to the residents ever since 1947 and what we say is this. If and when the Government want to acquire the lands, let there be no speculation and let there be no increase in the price of the land as a result of the discovery of lignite in this area. That is all what is asked for and after all, we may not acquire even an inch of land and if we do acquire, the price, it is laid down, should be the price prevailing when the mining operations were started in that area in 1947. Nobody's interests will be harmfully affected and I feel, therefore, there is no necessity to send the Bill to the Select Committee. I oppose the motion, Sir."

* SRI D. SEETHARAMIAH :—" Mr. Speaker, Sir, the argument adduced by the Hon. Minister in charge of the Bill is not at all convincing. Many small peasants who are owning lands in that area will be paid only a certain amount of compensation according to the rule and because the land is a very valuable land, I feel that the ordinary rules of compensation should not apply to it and more

[Sri D. Seetharamiah]

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compensation should be paid and that is why I suggest that the Bill should be studied in all its aspects by a Select Committee and urge it should go before a Select Committee."

MR. SPEAKER :—" The question is—

' That the Madras Lignite (Acquisition of Land) Bill, 1953, be referred to a Select Committee.' "

The amendment was put and lost.

MR. SPEAKER :—" The next question is—

' That the Madras Lignite (Acquisition of Land) Bill, 1953, be circulated for the purpose of eliciting public opinion.' "

The amendment was put and lost.

MR. SPEAKER :—" The original motion is—

' That the Madras Lignite (Acquisition of Land) Bill, 1953, be taken into consideration at once.' "

The motion was put and carried and the Bill was taken into consideration.

Clause 2.

MR. SPEAKER :—" I will take the Preamble and Clause 1 at the end. Now the motion is—

' That clause 2 do stand part of the Bill.' "

* SRI K. KRISHNA RAO :—" Mr. Speaker, Sir, I move the amendment standing in my name—

' At the end of sub-clause (1) of clause 2 insert the following proviso :—

" Provided that the exploitation, working and marketing of the lignite deposits and of the lignite coal in the said areas shall not be entrusted by the Government, wholly or in part, to any concern, managing agency or individual of non-Indian origin or nationality.' "

SRI PILLALAMARRI VENKATESWARLU :—" I second the amendment, Sir."

* SRI K. KRISHNA RAO :—" Mr. Speaker, Sir, it is said that the fact that lignite is available in South Arcot has been known for a pretty long time and the officers of the Mining Department of the Government of India have been saying that lignite is available in South Arcot. There was an Industrial Planning Committee appointed by the last Government and they recommended that this lignite should be taken out and the power houses in this State should be driven by this fuel for purposes of generating electricity. A number of interpellations have been raised both in this House and in the Council and the Government

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have been pressed ever since to start the operations. The Government have for some time been saying that they will do it; they said so for a year and later on they said that they had applied to the United States of America for financial assistance and that under the Truman Aid Programme, the question of lignite in South Arcot and of iron in Salem will be taken up and worked. This was somewhere in 1949. From that time to this day the I.C.S. Officers of the Development Department have been painting glorious tales about lignite. There have also been attempts to sabotage the working of lignite because we were told at one time that the deposits were between two layers of water and that if we begin to take them out, the entire lignite will be lost. We were placed on the horns of a dilemma and were also told that nothing can be done. From what has happened since 1947, it looks as if there are interests at work which want to see that the industrialization of South India is definitely thwarted. Well, Sir, this is not anything new. We know that particularly the mining industry has been thwarted for centuries and the British Imperialists have always been telling us that this country will have to be merely an agricultural country supplying the necessary raw materials for the industries for the foreign countries; that is how industrialization has become impossible. Arguments there have been that there are not sufficient technical personnel here to bring up the lignite from the mines. In this connection, a number of experts have been invited to see whether lignite can be brought out. I may tell you, Sir, that many of these experts belong to the United States of America. You must also know, Sir, that in the United States of America there are a number of scientific investigators who are virtually the paid employees of the big Trusts. These Big Trusts, it must be known, Sir, do not want any kind of industrialization which would compete with the industries of their master's and of their master's Trust. That is why these people everywhere have been raising number of objections to the industrialization of other countries, not merely in India but even in the United States of America. Let us take the case of the development of hydro-electric power. A number of scientific investigators who have interests in electrical concerns have been telling the people that hydro-electric power cannot be developed in the United States of America. What is the reason why they put up this proposition as a thesis coming from scientific investigators? It is because with the development of hydro-electric power, the price of power will go down and the existing engineering concerns which are engaged in the production of power would lose heavily. That is why they put it up as a scientific thesis that the development of hydro-electric power in that country cannot be made. Similarly also, most of these experts who have been coming from the United States of America or from those countries which are satellites of that country, have been telling us that this is a very big process and the difficulties are many . . .

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MR. SPEAKER :—" I wish to know from the hon. Member how this is relevant to the clause under discussion. Let the hon. Member finish his speech. I will hear the Leader of the House also and give a ruling later on."

4-10
p.m.

* SRI K. KRISHNA RAO :—" I would like to say that here we are trying to develop a national industry and we are very much interested in seeing that the industry remains in the hands of our Government. We are very particular in that respect."

MR. SPEAKER :—" The hon. Member's amendment does not fit in here. The hon. Member must move a separate motion. That is my point."

* SRI K. KRISHNA RAO :—" My point is that the whole industry must be managed by this Government. My amendment is relevant in this respect, viz., that because we are passing a particular Bill we will have to see that the Government which is responsible to the people and to this House actually manages it."

MR. SPEAKER :—" Still I do not consider it relevant."

* SRI T. NAGI REDDI :—" It is very relevant for the following reasons. Here we are discussing about the acquisition of lands from the peasants for developing the lignite industry. Before this House passes this Bill, we must know actually whether these lands which are going to be taken away from the peasants will remain in the hands of our own Government and our Nation. We also want to know whether the Government want to purchase these lands and whether it is in their interest to do so in view of their present state of finances. What Mr. Krishna Rao wants, in his amendment, is that this industry should not be placed in the hands of foreign authorities, foreign imperialists and foreign capitalists. We must be given the guarantee that these lands will not be placed in the hands of foreign financiers."

MR. SPEAKER :—" Anyway, the amendment does not fit in here. If the hon. Member wants, he can ask for a guarantee at the end."

* SRI T. NAGI REDDI :—" If the Chair thinks that it is not proper to move an amendment to clause 2 now and that it should be moved at the end, I request the Chair and the Government to help us in adding a clause to the Bill at the appropriate stage. Sir, unless we know that this industry will be developed by our own national financiers and in our own interests, Government cannot expect us to raise our hands in support of this Bill. We are not going to join hands with American or British financiers in running this industry for it will be to the detriment of our national interests."

MR. SPEAKER :—" It is not relevant to the point at issue, because clause 2 refers only to acquisition of lands in lignite-bearing areas."

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* THE HON. SRI C. RAJAGOPALACHARI :—“ Mr. Speaker, Sir, the idea is that the gentlemen who are putting up this opposition to the Bill, fear that the national interests . . . ”

SRI T. NAGI REDDI :—“ Natural fear.”

THE HON. SRI C. RAJAGOPALACHARI :—“ Natural from one point of view because of your temperament but not natural as I understand it. The idea is that this Bill should be opposed because if this Bill is passed and the mining process is facilitated, then we do not know what will happen to the mining industry, whether it would be done departmentally by the Government or handed over to others and if to others, to whom it may be given and if given to anybody at what price the coal will be sold and so on. The object of the Opposition is that the Government must state entirely what they have in view in regard to the manufacture of lignite and the mining procedure before they get the approval of this House for this simple measure against speculation. This is the analysis of the Opposition's point of view.”

SRI T. NAGI REDDI :—“ I would like to mention that it is not correct.” (Interruption from Sri K. Krishna Rao.)

MR. SPEAKER :—“ I have allowed the Hon. Chief Minister to have his say in the matter.”

SRI T. NAGI REDDI :—“ The hon. Member Mr. Krishna Rao says that what the Hon. Chief Minister has said is a misrepresentation of his speech.”

* THE HON. SRI C. RAJAGOPALACHARI :—“ If I analyse a wrong thing thoroughly, it does appear to be misrepresentation. I analysed the idea thoroughly that to-day when we want to stop speculation and get authority from the House for that, we must lay bare our entire programme, not only if we have a programme but even if we have not considered it. We must make commitments and then proceed with this ‘no speculation’ Bill. I can only describe it as the height of unthinking opposition to any progress. Because if this Bill is opposed on this ground and the Opposition succeed in their attempt, what would happen will be that the speculation will go up. Instead of preventing the Government from going wrong, it would allow the Government to be completely cheated by speculators. Therefore, I submit it is obvious that it is quite irrelevant to this Bill.”

(Sri T. Nagi Reddi rose from his seat.)

MR. SPEAKER :—“ I cannot allow the same hon. Member to speak a number of times on the same matter.”

SRI T. NAGI REDDI :—“ On a point of personal explanation, Sir. The point is, we want this Bill to be passed if it is in the interests of the country. By passing this Bill, we do not want the Government to get into trouble later on. We want this Bill to be passed in the interest of the peasantry and the peasantry

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should not be cheated by any one. I am not questioning about the price of the coal and how this industry may work but I am only questioning whether these lands will be mortgaged and handed over to foreign capitalists and Dollar Imperialism."

MR. SPEAKER :—" After hearing Sri Krishna Rao, I will ask the Hon. Minister to reply and then I will give my ruling."

SRI K. KRISHNA RAO :—" It is a sheer misrepresentation to say that I want to aid speculators. In fact this question has a history behind it. There has been considerable delay in the matter and there has also been the declaration by the Government that this industry is pledged to Dollar Imperialism."

MR. SPEAKER :—" I do not like to go into the merits of the question. In my opinion, it is irrelevant to the subject matter. Let me now hear the Hon. Minister."

* THE HON. SRI C. SUBRAMANIAM :—" With great respect to Mr. Krishna Rao's powers of understanding the provisions of this Bill, I wish to say that this is a Bill dealing with the acquisition of lands. With regard to the working of the mines and other matters of industrial policy, of course, the Government are always guided by the directions given by the Legislature. But when we are discussing this Bill, it is absolutely irrelevant to consider any policy other than the one evolved in this Bill. As long as hon. Members like Sri Nagi Reddi and Sri Krishna Rao are here to protect the national interest, even if we were to sell away the national interests, they would be protected! That is quite different. But the point for consideration is whether this amendment can fit in here within the scope of the Bill. This Bill is purely intended for the acquisition of lands for the purpose of running the lignite industry and not for any other purpose. The amendment of Sri Krishna Rao is completely alien to the scope of the Bill. I, therefore, submit that it is quite irrelevant."

MR. SPEAKER :—" The amendment of the hon. Member, Sri Krishna Rao, is not relevant to clause 2 of the Bill, and I rule it out of order."

" For the same reason, I rule the amendment of Sri Seetharamiah also out of order."

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p.m.

SRI C. V. K. RAO :—" Sir, I have given notice of an amendment which has also been circulated for the words ' 28th April 1947 ' wherever they occur the words ' 1st April 1947, be substituted. ' "

MR. SPEAKER :—" This amendment only relates to the Preamble. I would like to know whether the Hon. Minister for Industries has got to say anything."

THE HON. DR. U. KRISHNA RAO :—" Nothing, Sir."

Clause 2 was put and carried.

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Clause 3.

MR. SPEAKER :—" The motion is—

' That clause 3 do stand part of the Bill.' "

* SRI VAVILALA GOPALAKRISHNAIAH :—" Sir, I will move the amendment standing in my name."

MR. SPEAKER :—" Here again, there is some difficulty. The amendment given notice of is for the addition of a new clause, clause 3-A. I will now put clause 3 to the vote of the House and then take up the new clause proposed by the hon. Member, Sri Vavilala Gopalakrishnaiah."

Clause 3 was put and carried.

New clause 3-A.

* SRI VAVILALA GOPALAKRISHNAIAH :—" Mr. Speaker, Sir, I beg to move—

' That after the existing clause 3 the following be inserted as clause 3-A :—

" 3-A. If the land is owned by the person who owns 3 acres on the whole, that landowner may get the market value whichever is much.' "

" In doing so, I wish to congratulate the Hon. the Chief Minister on bringing forward this legislation and undertaking this scheme which will provide a better living for the people of the local area. At the same time, I must also point out that whenever development schemes for the Andhra area, for instance, the development of electricity projects, are considered, the plea is put forward that the State is going to be divided and that there is a huge deficit and therefore these schemes should be put aside.

" Apart from this question my point is that the small landholder must be protected. I know what happened in regard to the Tungabhadra Project. Monied people purchased lands for a hundred or two hundred rupees from the poor people and then sold them for three or four thousand rupees. I agree with the Hon. Minister for Industries that speculation should be prevented but, it will do no good to the poor people, who have only 3 or 4 acres of land as their means of livelihood, to say that they should not get the market rate for their lands. I therefore request that the Government should give some protection to these poor landowners who own only three acres. If a man owns three acres here and some more elsewhere, he need not be given this protection. I have absolutely no objection if the Government take over some land for a purpose which will benefit the local people, and with a request to the Government to show the same attitude towards the development of the Andhra area, though it is to be separated, I request the House to support this amendment."

The amendment was duly seconded.

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* THE HON. SRI C. SUBRAMANIAM :—“ Mr. Speaker, Sir, whatever may be the intention of the Hon. the Mover of this amendment, this amendment will create more difficulties and, in addition, the words ‘ If the land is owned by the person who owns 3 acres on the whole,’ have absolutely no meaning. Even, if it is the intention of the mover that a person owns three acres of land at the time of the acquisition, the net result will be that persons owning large extents of land will parcel them out into three acres, bit by bit, and sell them out. The words ‘ that landowner may get the market value whichever is much ’ also do not convey any meaning. What is the date on which the market value is to be fixed? Nothing is stated in this amendment. I therefore submit that if this amendment to clause 3 as proposed by the mover is accepted, it will create further difficulties. It also does not convey any meaning and I would therefore request the hon. Gentleman to withdraw this amendment. There is no question of any distinction between the rich landowner and the poor landowner. All will be given a fair value for their lands as on the 28th April 1947 and there is no purpose in going in for further difficulties. This amendment is quite unnecessary.”

* SRI VAVILALA GOPALAKRISHNAIAH :—“ Sir, if it is only a question of the wording of the amendment, I would request the Hon. the Finance Minister to help me and the House in re-drafting it, and thus help the poor peasants who are suffering. (The Hon. Sri C. Subramaniam, Finance Minister, was seen shaking his head.) If the Hon. the Finance Minister cannot help me in redrafting the amendment, I cannot also help him and I am not going to withdraw my amendment.”

THE HON. SRI C. SUBRAMANIAM :—“ Sir, I have opposed the amendment on other grounds also.”

MR. SPEAKER :—“ As the hon. Member is not withdrawing his amendment, I will put it to the vote of the House. The question is—

‘ That the following be added as a new clause 3-A after the existing clause 3 :—

“ 3-A. If the land is owned by the person who owns 3 acres on the whole, that landowner may get the market value whichever is much.” ”

The amendment was put and lost.

Clause 4.

MR. SPEAKER :—“ The motion is—

‘ That clause 4 do stand part of the Bill.’ ”

* SRI T. NAGI REDDI :—“ Sir, the only point I wish to mention is that in all legislations recently passed there was a very good provision that the power to make rules should also be given to the Legislative Assembly.”

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MR. SPEAKER:—"I think the hon. Member is referring to delegated legislation. There is a proposal to have a Committee to go into delegated legislation. The Sub-Committee can sit for two or three days and may then consider rules regarding the proposed delegated legislation."

* SRI T. NAGI REDDI:—"Sir, my point is that power to make rules should not be vested in those few people who draw them up. The Legislature should also have powers to alter or amend these rules. I well remember that in the previous Bills there was a special provision, which the Ministry had also accepted, conferring the power to make rules on the Legislature also."

* THE HON. SRI C. SUBRAMANIAM:—"Sir, the point raised by the hon. Member, Sri T. Nagi Reddi, is quite simple. Clause 4 states—

'The State Government may, by notification in the *Fort St. George Gazette* make rules to carry out the purposes of this Act.'

"This means that, whatever the rules that are passed, the Assembly will have nothing to do with them and they will come into effect immediately. I agree that in respect of the other Bills there was a provision that these rules shall be placed on the table of the House for not less than fourteen days as soon as possible after they are made and shall be subject to such modifications as the Assembly may make during the session in which they are so laid. I am prepared to have this amendment."

SRI T. NAGI REDDI:—"I am thankful to the Ministry for the same."

* SRI K. KRISHNA RAO:—"Mr. Speaker, Sir, I want to suggest one thing which the Government should take note of, namely, that on several occasions in acquiring lands for any purpose, the trade or industry is not promptly carried on. I, therefore, request that as soon as the land is acquired for purposes of industrialization, the Government should take up the execution of these industries promptly without letting the agriculturists raise crops or any other thing on the lands."

MR. SPEAKER:—"I do not know on which clause the hon. Member is speaking."

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p.m.

SRI K. KRISHNA RAO:—"That is only my suggestion to the Government."

SRI C. V. K. RAO:—"Mr. Speaker, Sir, there are very many points, very pertinent to this Bill, which were not clarified by the Hon. Minister in charge of Industries and Labour while moving the Bill. He did not enlighten the House clearly about the scope of this industry. For example, he did not tell the House how much area of land had already been acquired by the Government, what quantity of lignite had been mined so far, what was the area of land that was proposed to be acquired by the Government out of the area of 100 square miles where the existence of

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lignite had been revealed, etc. It has been said that about 2,000 million tons of lignite are expected to be mined over an area of 100 square miles. I would also like to know how much of the land in this area of 100 square miles is held by big landlords.

“ Ever since 1947, the Government have been thinking of mining this area. I would like to know why the Government have taken five long years to come forward with this Bill. Mr. Krishna Rao has pointed out that during this period of five years the Government have been trying to find out some big industrialists in this country or outside this country to hand over this vast industry to them. If this is not the reason, I should like to know why the Government have delayed bringing forward this Bill so long. I would like the Hon. Minister to enlighten the House on these points.”

* THE HON. SRI C. SUBRAMANIAM :—“ Mr. Speaker. Sir, I move the following amendment :—

That the existing clause 1 be renumbered as sub-clause 4 (1) and the following be added as sub-clause (2) :—

“(2) All rules made under this section shall be laid for not less than fourteen days before the Legislative Assembly of the State, as soon as possible after they are made and shall be subject to such modifications, whether by way of repeal or amendment, as that Assembly may make during the session in which they are so laid.” ”

MR. SPEAKER :—“ Motion moved—

“ That the existing clause 4 be renumbered as sub-clause 4 (1) and the following be added as sub-clause (2) :—

“(2) All rules made under this section shall be laid for not less than fourteen days before the Legislative Assembly of the State, as soon as possible after they are made and shall be subject to such modifications, whether by way of repeal or amendment, as that Assembly may make during the session in which they are so laid.” ”

* THE HON. DR. U. KRISHNA RAO :—“ Mr. Speaker, Sir, I would like to answer the points raised by Sri C. V. K. Rao though they are not absolutely relevant to the Bill before the House, so that the doubts and fears of my Friend may be removed. These lignite-bearing areas extend over an area of 200 square miles. We have now been working in an area of about 2½ square miles. The delay has been caused on account of the technical difficulty of getting lignite free from water of which there is a superficial layer as well as a layer underneath. During these five years we have been conducting experiments to take out the lignite lying between these two layers of water. On the 5th March, I myself inaugurated the quarrying of a trial pit 550 feet by 550 feet at ground level and about 180 feet deep to expose a lignite surface of 100 feet by 100 feet. The delay has not been caused on account of the Government trying to get some big industrialists

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in this country or from outside for undertaking this mining industry. It has been caused only on account of the technical difficulty in getting the lignite. I can assure my Friend that there has been nothing behind the actions of the Government in this matter."

* SRI VAVILALA GOPALAKRISHNAIAH :—" On a point of information, Sir. On a previous occasion, when I asked the Government whether the rules placed on the table of the House relating to the Motor Vehicles Act could be discussed on the floor of the House, and altered or amended, if necessary, the latter said that the rules placed on the table of the House could not be altered or amended. Now the Government say that the rules framed under the Bill now under discussion shall be subject to modifications by way of repeal or amendment by the Assembly. I wish to know if this is permitted."

MR. SPEAKER :—" The Assembly has been given power to modify the rules in the clause itself. Now the question is—

' That the existing clause 4 be renumbered as sub-clause 4 (1) and the following be added as sub-clause (2) :—

" (2) All rules made under this section shall be laid for not less than fourteen days before the Legislative Assembly of the State, as soon as possible after they are made and shall be subject to such modifications, whether by way of repeal or amendment, as that Assembly may make during the session in which they are so laid." "

The amendment was carried.

MR. SPEAKER :—" I will now put clause 4 as amended to the vote of the House. The question is—

' That clause 4 as amended do from part of the Bill.' "

The motion was put and carried.

THE SCHEDULE.

* THE HON. DR. U. KRISHNA RAO :—" I beg to move the following amendment to the Schedule :—

' In the Schedule to the Madras Lignite (Acquisition of Land) Bill, 1953, omit the following entry, namely :—

Serial number.	Village number.	Name of village.
46	55	Parvathipuram.

and renumber the other entries suitably.'

" In the amendment I have given notice of I have mentioned the names of two other villages, namely, Sepplanatham and Managathi, but I am not including them in the amendment I have moved. I wish to explain briefly why this village Parvathipuram should be removed from the Schedule. Parvathipuram is

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a very big religious centre and is the headquarters of the Ramalingaswami Mutt. Thousands and thousands of people flock to this village to have a darshan of the 'Divine Light' or 'the Jyothi' as they call it. We want this village to be excluded from the lignite mining area on sentimental grounds as we do not want to wound the religious feelings of the people."

MR. SPEAKER :—" The question is—

' In the Schedule to the Madras Lignite (Acquisition of Land) Bill, 1953, omit the following entry, namely :—

Serial number.	Village number.	Name of village.
46	55	Parvathipuram.

and renumber the other entries suitably.' "

The amendment was put and carried.

MR. SPEAKER :—" I will put the Schedule as amended to the vote of the House. The question is—

' That the Schedule as amended do form part of the Bill.' "

The motion was put and carried.

Preamble and clause 1.

MR. SPEAKER :—" I find that three amendments have been given notice of, one by Sri K. Krishna Rao, one by Sri S. Vemayya and another by Sri D. Seetharamiah. They read as follows :—

' Sri K. Krishna Rao's amendment—

" Between the first and second paragraphs of the Preamble insert the following paragraph :—

' And whereas it is now decided to cancel the previous decision of the Government, stated in the Madras Legislative Council on 17th April 1951 to include the investigation under President Truman Point Four Programme, and to constitute a committee of four Engineers to advise on the lignite operations ; and it is now decided that the State Government will assume sole rights and responsibilities in this behalf.' "

' Sri S. Vemiah's amendment—

" In the first paragraph of the Preamble, for the words ' South Arcot district ' substitute the word ' State '."

' Sri D. Sitaramiah's amendment—

" Between the first and second paragraphs of the Preamble insert the following paragraph :—

' And whereas it is necessary to utilize the exploited lignite exclusively and entirely for the development of industries in Andhra, Tamil and Korala areas of this State.' "

" As they do not come within the scope of this Bill, I propose to rule them out of order."

* SRI T. NAGI REDDI :—" What the hon. Member Sri Krishna Rao wants in his amendment is that this lignite industry should not be placed in the hands of the foreign interests. When a similar amendment under clause 2 was under discussion, the

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Hon. Mr. Speaker was pleased to say that if the hon. Member wanted he could move it in the end. The suggestion of the hon. Member can be made into a separate clause by itself and added on to the Bill. I want the amendment of Mr. Krishna Rao to be discussed."

* SRI K. KRISHNA RAO :—" We have got every right to bring this matter before the House, because the Government had stated in the Madras Legislative Council on 17th April 1951 that they had decided to include the investigation of this industry under President Truman Point Four Programme. We only want that the Government should actually take up the responsibility by working up this industry and we do not want that it should be handed over to any foreign concern. Are we to understand that nobody has got any interest in this lignite industry except the Government? "

MR. SPEAKER :—" In the opinion of the Chair, the amendment is out of order. I am therefore ruling the amendment of Sri Krishna Rao out of order.

" Then comes the amendment of the hon. Member, Sri Sitararniah. I fear that also will meet with the same fate. Let me first hear what the hon. Member has to say."

4-50
p.m.

* SRI D. SEETHARAMIAH :—" Sir, my amendment is quite different from that of the previous speaker. In the Statement of Objects and Reasons appended to this Bill, the Government have said that the object of the exploitation of lignite is for the industrialization of this State. That being so, I want that this lignite should be utilized for the benefit of the entire State and I am only clarifying this by my amendment."

MR. SPEAKER :—" The hon. Member wants to enlarge the scope of the Bill. So his amendment is out of order."

SRI S. VEMIAH :—" Then, Sir, by my amendment I want to bring within the scope of this Bill not merely lignite but all minerals, so that the Government may not have to bring in another Bill for other minerals."

MR. SPEAKER :—" This amendment also seeks to enlarge the scope of the Bill. So this also is out of order. Then, I want to know what Mr. C. V. K. Rao wants to say with regard to his amendment."

SRI C. V. K. RAO :—" Sir, I move the following amendment :—

' For the words and figures " 28th April 1947 " wherever they occur in the Bill, the words and letters " 1st April 1947 " be substituted.'

" The reasons I advance are as follows : The Government have brought this Bill with the idea of avoiding speculation in land in the area. The actual operations have begun on 28th April 1947. That

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is, at any rate, what the Government say. All the same it is better to fix the date a little bit in advance, so that the people may know what the Government's intentions are. What generally happens is, somehow the intentions of the Government are known by some interested, profit-making persons and they purchase large extents of land in the concerned area with the object of selling them to the Government at a high price later. I fear even before 28th April 1947 several people would have purchased large tracts of land in this area with a view to earn a profit by selling them later on to the Government. So at least to cover some of those cases, if not all the cases, I have suggested 1st April. It happens also to be the commencement of the financial year. So, it will be easy to reckon the value of the land from that date. So, I hope Government will accept my amendment."

SRI S. VEMIAH :—" I second it."

* THE HON. SRI C. RAJAGOPALACHARI :—" Sir, there is no material difference whatsoever between the 28th April and 1st April, so long as our object is to prevent speculation in this case. The commencement of the financial year has no relation to the question of speculation. So there is no point in the amendment of the hon. Member. Further there is nothing to choose between the two dates. So the date in the Bill may stand as it is. The hon. Member does not support his amendment on any other ground. So we cannot accept his amendment."

MR. SPEAKER :—" It is better the hon. Member withdraws his amendment."

SRI C. V. K. RAO :—" Yes, Sir; I withdraw my amendment." The amendment was, by leave, withdrawn.

MR. SPEAKER :—" Then comes the amendment of Mr. Vemiah. I do not understand his amendment; it conveys no meaning to me."

* SRI S. VEMIAH :—" Sir, I shall explain myself. Sir, in my amendment I suggest that for the words 'are specified in the Schedule', the words 'shall be published in *Fort St. George Gazette* from time to time according to the suitability and feasibility of the exploitation of the minerals' be substituted. Sir, to-day, as the title of the Bill indicates, the Bill operates only in South Arcot district and that too with reference to lignite only. Suppose in a day or two or a few days hence, copper or other mineral is found. Then, Government will have to bring in another piece of legislation for that. So to provide for such cases also in this Bill I have suggested my amendment."

MR. SPEAKER :—" The hon. Member wants to enlarge the scope of the Bill. So I rule it out of order."

Clause 1 was put and carried.

The Preamble was put and carried.

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THE HON. DR. U. KRISHNA RAO :—“ Mr. Speaker, Sir, I beg to move—

‘ That the Madras Lignite (Acquisition of Land) Bill, 1953, as amended, be passed into law.’ ”

MR. SPEAKER :—“ The motion before the House is—

‘ That the Madras Lignite (Acquisition of Land) Bill, 1953, as amended, be passed into law.’ ”

* SRI K. KRISHNA RAO :—“ Mr. Speaker, Sir, a Bill of this nature is long overdue. We had been expecting it ever since 1947. If only this Bill had been brought forward at that time, our forests all along would not have been denuded of trees to be utilized for domestic consumption, for running buses and industries. For a good lot of brown coal would have been available all these days. Even now, Sir, I beg to submit, I do not place any confidence in the assurance of the Government. For, their acts till now have led me to that conclusion. For example, take the case of the nationalization of motor transport. The Government said that their policy was nationalization of motor transport. They said so in the year 1950 or 1951—I do not exactly remember the year. Later on they simply dropped that idea. Then, with regard to Salem iron ore, they said they would start mining that mineral. But they have not proceeded with it. So also with regard to these lignite operations, the Finance Minister has been telling us that if the cost of producing a ton of lignite in South Arcot goes up beyond Rs. 30—for that is the price at which Bengal coal is supplied to us—he would not take up that business. Sir, my submission is that this lignite is of national importance to us, or at least to our State, whether we remain separated or together. For, this industry together with the Salem iron ore will lead to very great industrial progress. That is why we here have been saying all along that industrialization of the State is not going on as it ought to be. I wish our Government go ahead with this industry at greater speed, disregarding the advice of many of the so-called technical experts, who tell us that lignite coal may not be good—for that was said about the lignite coal in South Arcot—as it lies embedded between two layers of water. In fact, Sir, at one of the Press conferences one of the representatives of the Press asked whether there is not a good prospect of generating power from this lignite coal; and also, another representative suggested whether there is not a prospect of power development by exploitation of lignite deposit as we have good iron ore in Salem and lignite coal in South Arcot. So there is a good prospect of our having in South India an area like the Ruhr. So, Sir, I say that we are very anxious that this particular area should be taken up, that the mining should be seriously proceeded with, that this particular industry should not be pledged to any foreigner and that this should be carried on only as a national concern by the Government themselves. We do not want them even to give it to any industrial concern or any capitalist in this country itself. We want it to be

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carried on as a national concern by the State itself. If only Government took measures seriously, a lot of unemployment in the country could be solved. Here, I would suggest one other thing to Government. Every six months a report containing the work carried out in the Salem iron ore area and in the South Arcot lignite mining area should be placed on the table of the Assembly, so that we may all know how things are progressing. Let this be taken as an official move; for the Hon. Chief Minister himself has said that this should not be allowed to be delayed. So, Sir, I wish the industrial resources of our State are developed. We cannot solve the question of unemployment without taking up industrial development. So it is in order to avoid any delay in the solution of important problems facing the State that I have suggested that a report on the progress of work done should be called for once every six months and placed on the table of the House. Finally, Sir, I hope, and I expect Government to take up this work seriously, develop it and industrialize South India."

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p.m.

* SRI T. C. NARAYANA NAMBIAR :—" Mr. Speaker, Sir, ഈ വൈകിട വേളയിലെങ്കിലും ഇങ്ങനെ ഒരു ലിഗ്നൈറ്റ് ബിൽ കൊണ്ടുവരുന്നത് ഏറ്റവും ഉചിതമായ ഒരു തീരുമാനമായിട്ട് അതിനെപ്പറ്റി ശ്രദ്ധിച്ചു എന്ന് ഇത് സന്തോഷകരമാണ്. എന്നാൽ ഇത്രയും പ്രാധാന്യം അഹിഷ്ണുന്ന ഈ ചുമന്ന നമ്മുടെ ഗവണ്മെന്റിന്റെ കയ്യിൽനിന്ന് വിഭജനമായ അല്ലെങ്കിൽ ഭേദിച്ച നാല്പതുണ്ടാകും തുടർന്നു - വേർക്കുന്ന ആളുകളുടെ കയ്യിൽ പോവുകയല്ല എന്ന് തീർച്ചയായും ഗവണ്മെന്റ് ഉറപ്പു നൽകേണ്ടതായിരുന്നു. ഗവണ്മെന്റ് എന്തിനും അത്തരത്തിൽ ഒരു ഉറപ്പു നൽകണം എന്ന് ചോദിക്കുകയാണെങ്കിൽ നമ്മുടെ അനുകൂലം തീർച്ചയായും അത്തരത്തിൽ ഒരു ഉറപ്പു കിട്ടിയേ മതിയാവൂ എന്നുള്ളതാണ്."

MR. SPEAKER :—" In the third reading stage the hon. Member should speak only on the clauses of the Bill and should not bring in extraneous matters. Of course, it was open to him to speak on these matters in the first reading stage."

* SRI T. C. NARAYANA NAMBIAR :—" Mr. Speaker, Sir, കാരണം 1947 ആഗസ്റ്റ് 15-ാം തീയതികൾക്കുശേഷം നമ്മുടെ രാജ്യം സ്വാതന്ത്ര്യമായിട്ട് ബ്രിട്ടീഷുകാരുടെ മൂലധനം കോമൻവെൽത്ത് മുതലായ കമ്പനികളിൽ ഇന്നും കെട്ടി കൊണ്ടിരിക്കുന്നു. ക്ഷാമ ബാധിത കൊടുക്കണം എന്ന് പറഞ്ഞിട്ടും ഈ കമ്പനിയിൽ അതു നിർത്തിവെച്ചിരിക്കുകയാണ്. മലബാറിൽ കോഴിക്കോട്ടുള്ള ഫൈവേയ്ക്കുനേക്കൻ കമ്പനി ഗവണ്മെന്റ് ഹൈറൈറ്റുകൾ എന്ന് പറഞ്ഞിട്ടും ഒരു വിഭജന കമ്പനിക്ക് നേരിട്ടു നടത്താൻ കൊടുക്കാൻ ഗവണ്മെന്റിന് ആലോചന ഉണ്ടായിരുന്നു. പിന്നെ നാട്ടുകാരുടെ വമ്പിച്ച പ്രക്ഷോഭം വന്നതിനുശേഷമാണ് ഒരു ക്വബിനറു കമ്മിറ്റി നിയോഗിക്കപ്പെടുകയും നാട്ടുകാരുടെ അഭിപ്രായം അറിയുകയും ചെയ്യുന്നതിനു ശേഷമാണ് ഗവണ്മെന്റുതന്നെ നേരിട്ടു നടത്താനുള്ള ഒരു തീരുമാനത്തിൽ എത്തിച്ചേർന്നത്. അതിനാൽ ഇത്തരത്തിൽ ഉള്ളതായ ഒരു ഉറപ്പു ഈ കാര്യത്തിലും ഗവണ്മെന്റ് നൽകേണ്ടതാണ് എന്ന് മാത്രമാണ് എനിക്ക് പറയാനുള്ളത്."

* SRI T. NAGI REDDI :—" Mr. Speaker, I am very particular that this lignite industry should be made into a very great industry of our country and I only wish we really bring forth immediately the requisite capital to make this industry a great success. We do believe that the industrialization of our country is one of the most important things which we must achieve to-day if we are to eradicate unemployment and do many other things

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which are important for our society. That is why we have had no intention of opposing this Bill at all. As a matter of fact, as Mr. K. Krishna Rao put it, let us not postpone the day as we did in 1947, to some other day. Let us take heart and do it as fast as possible. At this time the only point which should be the concern of the Ministry and also of the Members of the Assembly here is that we should be careful to see that the peasantry is in no way brought into trouble in the matter of acquisition of land. That is what we are afraid of because we know that in the history of the world, everywhere wherever industries develop, whether it is the oil industry or the steel industry, it has been the history of industries that they have developed by depriving the rights of the peasants achieved by the sweat of their brow. I found not long ago, while I was reading a book about the development of the Rockefeller industries written by H. G. Wells, how Rockefeller tried to cheat—and cheated very well—the peasants of the United States of America to build up the oil industry. I am sure the Government will not do it because the Government have actually brought forward a Bill which says that no speculation should take place and prices should be limited to a particular level. I hope the peasantry will be taken due care of by the Government and the peasants will in turn be also glad if the industry is developed, because the greater the industry the greater will be the development of our country and greater will be our national wealth also, so that we will be able to better our nation.

"Sir, there is one thing about which, of course, our Ministry does not expect me to speak. It is because either it has been referred to previously or because the Chief Minister got a bit angry because we raised a point of order. That is not at all the point. In fact we are very much interested in the development of industries. Hence we asked particularly whether the Government themselves are going to take up this industry and develop it or whether they are going to do it along with our own industrialists who will be able to give us capital or whether they have got any other modified proposal. I hope and feel that this industry should be developed as a national industry, because this is a very big and major industry and a heavy industry, which will be a mother industry to future industries in our State. I, therefore, except that this industry will particularly be brought into effect only with our own money and our own capital and to that end I hope the Ministry will work properly and not allow foreign interests to encroach upon the heavy industries in our country, because it is very dangerous so far as nationalization of industry in South India is concerned."

* THE HON. DR. U. KRISHNA RAO :—"Sir, I am indeed thankful to hon. Members for their very valuable suggestions and good advice also. I can assure them that we consider speed as an essential factor in the development of this lignite mining. We are aware of the fact that the sooner we get this lignite out and the sooner we are able to market it, the sooner we will be able

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to start many more industries and help not only South India but perhaps the whole of India and put a new idea of revolutionising the whole industrial aspect on the country. I can assure hon. Members that to that end shall be directed all the activities of the Government.

“As to what exactly shall be the method of running it, I can assure hon. Members that we on this side are as much anxious to preserve national unity and national honour as anybody else. At present perhaps it is not opportune for us to discuss how it will be done, but I can assure hon. Members that national honour will be safeguarded by the Government with as much interest as hon. Members opposite have.

“Sir, I have only one more remark to make with respect to the statement made by Mr. Narayana Nambiyar. He talked in Malayalam and perhaps I am wrong in having understood him. But as I understood him, he was saying that the Cabinet Sub-Committee went to Calicut with the intention of handing over the Hydrogenation factory to a foreign firm, but that on account of the exertion of my hon. Friend we changed that idea. (Interruption.) I can assure my Friend that all this trouble could have been avoided if he had talked in English.”

SRI T. C. NARAYANA NAMBIAR:—“On a point of personal explanation, Sir, I did not say that the Cabinet Sub-Committee went to Calicut to hand over the Hydrogenation factory to a foreign firm. All I said was this. That was the only industry concerned that this State wanted to start in Malabar the Hydrogenation factory. There was a proposal to hand it over to a foreign firm. The Government appointed a Cabinet Sub-Committee and that Sub-Committee went there and we gave evidence before that Committee and people also made representations before that Committee and finally the Government decided that it was going to be continued by the Government themselves. That is what I said, Sir.”

* THE HON. DR. U. KRISHNA RAO:—“I thank the hon. Member for the correction. Whatever it may be, even before representations had been made we decided to run it ourselves.

“Once again I thank the hon. Members for their suggestions and co-operation in the matter. I have nothing more to add.”

MR. SPEAKER:—“The question is—

‘That the Madras Lignite (Acquisition of Land) Bill, 1953, as amended be passed into law.’”

The motion was put and carried and the Bill was passed into law.

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(2) THE COTTON GINNING AND PRESSING FACTORIES (MADRAS
AMENDMENT) BILL, 1953.

* THE HON. DR. U. KRISHNA RAO :—“ Sir, I beg to introduce the Cotton Ginning and Pressing Factories (Madras Amendment) Bill^{5 p.m.}, 1953, and move—

‘ That the Bill be taken into consideration at once. ’

This Bill provides for the inclusion of ‘ cotton waste ’ in the definition of ‘ cotton ’ in the principal Act. Up till now it was not obligatory on the owner of a cotton pressing factory, who presses cotton waste, to maintain a register in respect of cotton waste pressed in his factory; nor was he liable to submit under section 5 (1) a weekly return in respect of cotton waste. On careful consideration it was found that it would be feasible to include ‘ cotton waste ’ in the definition of ‘ bale ’ and ‘ cotton pressing factory ’ so that the owner of a cotton pressing factory will be under an obligation to include in the register and in the return particulars in respect of cotton waste. Clauses 2 and 6 of the Bill make the necessary provision for the purpose. This became necessary because it was found that cotton was found mixed with different varieties of cotton or water or any foreign substance, cotton leaf or cotton seed. Section 3-D, as it now stands, gives room for the deliberate watering and mixing of cotton up to the limit allowed. According to new section 3-D, cotton is deemed to be watered only if it contains moisture in excess of the normal quantity, and cotton is deemed to be mixed with cotton leaf or cotton seed only if it contains the leaf or seed in excess of the prescribed quantity. I appeal to the House to pass this Bill as it removes the possibility of any owner of cotton pressing factory mixing different varieties of cotton or watering any ginned cotton, or mixing with ginned cotton any foreign substance, cotton leaf or cotton seed.”

MR. SPEAKER :—“ Motion moved—

‘ That the Cotton Ginning and Pressing Factories (Madras Amendment) Bill, 1953, be taken into consideration at once. ’ ”

SRI S. RAMALINGAM :—“ Sir, I move—

‘ That the Cotton Ginning and Pressing Factories (Madras Amendment) Bill, 1953, be referred to a Select Committee. ’ ”

The amendment was duly seconded.

SRI S. RAMALINGAM :—“ I beg leave to withdraw my amendment.”

The amendment was, by leave, withdrawn.

MR. SPEAKER :—“ The question is—

‘ That the Cotton Ginning and Pressing Factories (Madras Amendment) Bill, 1953, be taken into consideration at once. ’ ”

The motion was carried.

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Clause 2.

SRI S. VEMIAH :—" Sir, I move—

'Delete the words "cotton waste" wherever they occur.'

The amendment was duly seconded.

* THE HON. DR. U. KRISHNA RAO :—" The purpose of the Bill is to include cotton waste! I submit this amendment is out of order."

SRI S. VEMIAH :—" I beg leave to withdraw my amendment."

The amendment was, by leave, withdrawn.

Clauses 2 to 9 and clause 1 and the Preamble were put and carried.

* THE HON. DR. U. KRISHNA RAO :—" Sir, I move—

'That the Bill be passed into law.'

MR. SPEAKER :—" Motion moved—

'That the Cotton Ginning and Pressing Factories (Madras Amendment) Bill, 1953, be passed into law.'

SRI K. KRISHNA RAO :—" Mr. Speaker, Sir, as I was going through this Bill, a remark of Sir Gangaram, who was a member of the Agricultural Commission, struck my mind. There was a propaganda to the effect that our farmers generally mixed a good lot of dirt and stones with the raw materials that they supplied. Sir Gangaram used to say that this was propagated by foreign imperialists to see that Indian wheat commanded a very small price in the world market. This Bill contains a provision which implies that Indian peasantry mixes with cotton a good amount of cotton waste, cotton leaf or cotton seed, dirt and all that. It may be that under the conditions obtaining in India, where agriculture is almost a handicraft and where we do not have power-driven machinery, a good amount of dirt is unavoidable. The implication that the peasants deliberately mix cotton with inferior stuff is there underlying this Bill. I should like to know from the Hon. Minister for Industries whether, by the provisions of this Bill, the Government are simply dittoing the kind of propaganda by foreign imperialists that I referred to in the beginning of this speech."

* THE HON. DR. U. KRISHNA RAO :—" I have no such doubt in my mind. According to the Act as it stands at present cotton waste in the ginning and pressing factories is not accounted for. There may be a possibility of cotton being mixed with cotton seed, cotton leaf or other foreign matter. I am not blaming anybody. Wherever a factory has got cotton waste, a register has got to be maintained to show the quantity and how it has been used, so as to check adulteration. That is all the purpose of this Bill. I wish to remove any suspicion that may be lurking in the mind of the hon. Member."

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MR. SPEAKER :—“ The question is—
‘ That the Cotton Ginning and Pressing Factories (Madras Amendment) Bill, 1953, be passed into law.’ ”

The motion was put and carried and the Bill was passed into law.

(3) THE LAND ACQUISITION (MADRAS AMENDMENT) BILL, 1953.

* THE HON. SRI M. A. MANICKAVELU NAICKER :—
“ Mr. Speaker, Sir, I introduce the Land Acquisition (Madras Amendment) Bill^a, 1953 and move—

‘ That the Bill be taken into consideration at once.’ ”

This is a very simple amending Bill which aims at reducing the rate of interest from 6 per cent to 4 per cent. This change is made because the bank rate has now fallen, and one or two other State Governments have adopted the 4 per cent rate. For instance, the Punjab Government have adopted this 4 per cent rate.”

MR. SPEAKER :—“ Motion moved—

‘ That the Land Acquisition (Madras Amendment) Bill, 1953, be taken into consideration at once.’ ”

* SRI D. SEETHARAMIAH :—“ Sir, I move—

‘ That the Land Acquisition (Madras Amendment) Bill, 1953, be referred to a Select Committee.’ ”

There are a large number of cases where compensation amounts have been paid after immense delay and the rates of compensation were very low. So the peasants were forced to go to courts, but being poor they are unable to go to courts. In this condition, it is very advisable to increase the rate of interest instead of reducing it. The Hon. Minister for Revenue said that because some other States reduced the rate to 4 per cent, the Madras State also should do likewise. It is not advisable. It will only help the Collectors to indulge in more delays in making payment of compensation. If the rate is increased, the Collector will be more alert in disposing of cases. Therefore, this Bill has got to be considered in all its aspects. I say, therefore, that this Bill be referred to a Select Committee.”

SRI S. RAMALINGAM :—“ Sir, the Hon. Minister said when he moved the Bill that it was a very simple Bill. The Government want the consent of the House to reduce the rate of interest from 6 to 4 per cent. He has not said why he wants to reduce the rate of interest from 6 to 4 per cent. He said that in conformity with some other State, he wanted to reduce the rate of interest. If the Bill is referred to a Select Committee, we can go into the question whether we have to reduce the rate or whether we have to increase the rate. I, therefore, request the House to accept the amendment.”

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* THE HON. SRI M. A. MANICKAVELU NAICKER :—“ Sir, I submit that the Select Committee will not help the hon. Member. Because the scope of the Bill is only about the rate of interest to be charged, and not to go into the merits and the manner of giving compensation. The hon. Member said that I did not give the reason why the rate of interest should be reduced. I have already said that the Bank rate has fallen. In line with the Bank rate, we seek to reduce our rate. I oppose the amendment.”

SRI C. V. K. RAO :—“ Sir, I move the amendment standing in my name, namely,—

‘ For the words “ at once ” substitute the words “ six months later ” ’ ”

The amendment was duly seconded.

MR. SPEAKER :—“ The question is—

‘ For the words “ at once ” substitute the words “ six months later ” ’ ”

The amendment was put and lost.

MR. SPEAKER :—“ The question is—

‘ That the Land Acquisition (Madras Amendment) Bill, 1953, be referred to a Select Committee.’ ”

The amendment was put and lost.

MR. SPEAKER :—“ The question is—

‘ That the Land Acquisition (Madras Amendment) Bill, 1953, be taken into consideration at once.’ ”

The motion was put and carried.

Clause 2.

MR. SPEAKER :—“ There are a number of amendments to this clause. I will put them one by one to vote later. Hon. Members will move their amendments.”

* SRI D. SEETHARAMIAH :—“ Sir, I move the amendment, standing in my name, namely,—

‘ For the words “ six per centum ” substitute the words “ eight per centum ” ’ ”

The amendment was duly seconded.

SRI VAVILALA GOPALAKRISHNAIAH :—“ Mr. Speaker, Sir, I move the amendment standing in my name, namely,—

‘ In clause 2, for the words “ six per centum ”, substitute “ six and one-fourth per centum ” ’ ”

The amendment was duly seconded.

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SRI S. VEMIAH :—“ Sir, I move the amendment standing in my name, namely,—

‘ (i) In clause 2 (i), for the words “ six per centum ”, substitute the words “ three per centum ”.’ ”

The amendment was duly seconded.

MR. SPEAKER :—“ The amendments are before the House for discussion.”

* SRI S. VEMIAH :—“ Sir, my amendment seeks to substitute 3 per cent for 6 per cent. The Government generally acquire land for the purpose of public benefit. The interest of 3 per cent is quite adequate for the reasons I contemplate. This interest will be given only on the excess amount that the court decides apart from the original fixation of the award or amount by the Land Acquisition Officer. Generally, the rich people or landlords go to the court to get more amount. Therefore, it is not advisable to give such a high rate of interest. The Government are giving compensation. In addition to that they are giving 15 per cent. In cases where the landlords succeed in a court of law, the Government are again giving them an excess amount of 4 per cent. My suggestion is that even 3 per cent is quite enough. The poor people cannot go to courts. My suggestion is that 3 per cent may be adopted instead of 6.”

* THE HON. SRI M. A. MANICKAVELU NAICKER :—“ Sir, the hon. Member who has just spoken wants it to be reduced to 3 per cent while the other hon. Member wants to raise it to 8 per cent. Between the two, I must stick to my proposal of 4 per cent, which is most reasonable at the present time.”

SRI T. NAGI REDDI :—“ Sir, is it simply because the other States have reduced the rate to 4 per cent? ”

* THE HON. SRI M. A. MANICKAVELU NAICKER :—“ The Bank rate has fallen.”

* SRI D. SEETHARAMIAH :—“ Sir, I want to speak on the amendment. Please permit me to do so. I am placing before the House the reasons why the rate should be enhanced. At present there are a large number of cases where lands have been occupied by the Government, and Collectors have not paid compensation at all. In Vayalpad taluk, a piece of land was acquired in 1947, but the compensation has not been paid even now. If the rate is reduced, the tendency to delay payment of compensation will be more. On the other hand, if the rate of interest is enhanced, the Collector and other officers will be alert, and pay off the compensation amount quickly. It is only for this reason I say that the rate should be raised. It is not because peasants should get more money, but it is only to expedite payment of compensation to them. The delay in the Collector's office should be curtailed. It is only for this purpose I have moved my amendment.”

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SRI G. ANJANEYULU :—“అర్యా, శ్రీ D. శీతారామయ్యగారు తన amendment ను సురించి కారణములు వివరించేటప్పుడు రిన్యూ మినిస్టరు మాణిక్యవేలు నాయకరుగారు శ్రీ వావిలాల గోపాలకృష్ణయ్యగారితో మాట్లాడుతున్నారు. అట్టి సందర్భములూ శ్రీ శీతారామయ్యగారి amendment కు రినిన్యూ మినిస్టరుగారు ఎట్లు సమాధానము చెప్పగలుగుతున్నారు ?”

*** SRI T. NAGI REDDI** :—“Sir, the point that is made by the hon. Member is that the Hon. Minister was speaking to the hon. Member Sri Vavilala Gopalakrishnaiah when the hon. Member Mr. Seetharamiah was speaking. He wants to know how the Hon. Minister is going to reply to the points raised by Mr. Seetharamiah.”

MR. SPEAKER :—“The Hon. Minister has got two ears.”
(Laughter.)

*** SRI T. NAGI REDDI** :—“Sir, to speak the truth, I did not understand at the outset the very purpose of the Bill. After hearing Mr. Seetharamiah I understand a bit. He has given an instance to show wherein payment of compensation has been delayed. There may be other cases also, wherein the Government have not paid compensation probably for the last 7 or 8 years. The point is that in all those cases where compensation amounts have not been paid, a certain amount of interest is allowed on those payments. When this Bill is passed, probably those cases also will come under this new rate. (The Hon. Sri C. Rajagopalachari: ‘No’.) The back numbers will get their compensation and the rate of interest which they were allowed previously. (The Hon. Sri C. Rajagopalachari: ‘Yes’.) This Bill will only apply to the future transactions. The only point urged by Mr. Seetharamiah is that if the rate of interest is increased, probably the Government will make expeditious payments and not delay payments. The people who have not been paid so far have to be paid at 6 per cent interest.”

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*** SRI VAVILALA GOPALAKRISHNAIAH** :—“Mr. Speaker, Sir, whenever a Bill is introduced, it is not clearly explained why it is introduced. Only some points here and there are mentioned and we are not able to understand why it is introduced. If at least one or two instances necessitating the legislation are given, then we will be able to understand the matter. Generally, the Mover of the Bill says that it is a simple one or that it has been brought forward to rectify a clerical error. These things only add to the confusion that already exists. If the Mover, while introducing the Bill, gives at least a summary of the details of the Bill, it will be helpful to us. But, in this case, we only see some words as ‘three per cent’, ‘six per cent’, etc. Therefore, we are compelled to elicit more information from the Hon. Minister. Only with this object, I moved my amendment. But now I am in the same position as I was before. I am still not able to understand why the Bill has been moved.

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Therefore, I appeal to the Government to explain, at least in the future, whenever a Bill is introduced and moved, the details of it so that hon. Members may be able to understand them. There are so many Bills and Acts and we are not able to understand them in spite of our best efforts. I think the hon. Members and the Hon. Minister too will agree with me in this respect. For instance, if a clause introduces an amendment to a section of an Act, it does not give full details so as to enable us to understand what it is about.

“Coming to the present Bill, I submit the Court can now direct payment of interest at the rate of 6 per cent per annum. The Government now want to reduce that rate to 4 per cent per annum. If it is a question of banks, then it is a different matter. The Government may, in that case, say that the money is already there in the bank. But, here it is the Court that has to give the direction. If the Court is expected to give decrees for payment of interest only at the rate of 4 per cent per annum, I have no objection. But if the Court gives a particular direction, it is not proper for the Government to say that they will pay at the rate of 4 per cent only. Such a thing does not happen in the case of rich people. Only when an ordinary peasant comes up, the Government say that they will pay at the rate of 4 per cent only. I submit this should not happen. When the land is acquired, the benefit of the interest should go to the ordinary peasant and not to the Government.”

SRI C. V. K. RAO :—“Mr. Speaker, Sir, I am not able to understand the logic of the position taken by the Hon. the Minister for Land Revenue when he said that some hon. Member wanted that the rate of interest must be raised to 8 per cent, that another hon. Member wanted that it must be reduced to 3 per cent, and that, therefore, he must stick to his guns. But the whole point is this. Some land is acquired by the Government and payment of compensation is not made in time. As such, how do the Government compensate for the delay in the payment of compensation? That is the question now under consideration. Here is a Court's decision that for such delay, interest should be paid at the rate of 6 per cent per annum. But the Government have now come forward to reduce it to 4 per cent. In this way, they are doing an injustice to the ryot from whom the land has been acquired. That is the first point. Secondly, the Government are trying to sidetrack the decision of the Court by fixing the interest at a lower rate. Therefore, I appeal to the good sense of the Hon. the Land Revenue Minister at least to accept the Court's decision to pay interest at the rate of 6 per cent per annum, if he is not going to increase it to 8 per cent. That is the reasonable course he can adopt.”

MR. SPEAKER :—“I shall ask the Hon. Minister to reply to the points raised and then put all the amendments to the vote of the House.”

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* THE HON. SRI M. A. MANICKAVELU NAICKER :—

“ Sir, my statement as to sticking to my guns was in addition to what I explained. I said that the Bank rate had fallen down and that, in order to keep in line with the general rate prevailing, the rate was sought to be reduced from 6 per cent to 4 per cent. We are giving interest from the time we take possession of the land. Also, in cases where possession of land has already been taken, this Bill does not apply. I do not know why the hon. Gentleman should object to it.

“ The hon. Member Sri Vavilala Gopalakrishnaiah said that he was not able to understand the provisions of the Bill. When he reads the Statement of Objects and Reasons attached to a Bill, probably his mind is travelling elsewhere and he does not concentrate on the matter he reads. I request him to concentrate on the matter when he reads a particular thing. Then, he won't make such complaints.”

MR. SPEAKER :—“ The question is—

‘ For the words “ six per centum ”, substitute the words “ eight per centum ”.’ ”

The amendment was put and lost.

MR. SPEAKER :—“ The question is—

‘ In clause 2, for the words “ six per centum ”, substitute the words “ six and one-fourth per centum ”.’ ”

The amendment was put and lost.

MR. SPEAKER :—“ The question is—

‘ In clause 2 (i), for the words “ six per centum ”, substitute the words “ three per centum ”.’ ”

The amendment was put and lost.

Clauses 2 and 1 and the Preamble were then put and carried.

* THE HON. SRI M. A. MANICKAVELU NAICKER :—

“ Sir, I move—

‘ That the Bill be passed into law.’ ”

MR. SPEAKER :—“ Motion moved—

‘ That the Land Acquisition (Madras Amendment) Bill, 1953, be passed into law.’ ”

* SRI S. VEMIAH :—“ Mr. Speaker, Sir, I am astonished to note that most of the hon. Members on this side requested the Government to raise the rate of interest. I think they have not been able to properly understand the scope of the Bill. I am glad to note that the Government propose to reduce the rate of interest to 4 per cent. My stand is that no ordinary or poor peasant will go to Court. Only the rich people or landlords will

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ordinarily go to Court on the plea that the compensation paid by the Collector is not adequate. There are several instances within my knowledge and this is more or less a benefit to the rich people. It is unnecessary to allow a greater rate of interest. The rate of 3 per cent per annum is quite reasonable when we take into account the compensation paid by the Collector. Even this rate requires further reduction."

MR. SPEAKER :—" The question is—

That the Land Acquisition (Madras Amendment) Bill, 1953, be passed into law."

The motion was put and carried and the Bill passed into law.

(4) THE PROVINCIAL INSOLVENCY (MADRAS AMENDMENT) BILL, 1953.

* THE HON. SRI K. P. KUTTIKRISHNAN NAIR :—" Mr. Speaker, Sir, I beg to introduce the Provincial Insolvency (Madras Amendment) Bill, 1953, and move—

' That the Bill be taken into consideration at once.'

" In doing so, I may be permitted to speak a few words. The Bill seeks to amend section 28-A of the Provincial Insolvency Act. The amendment is necessitated because on 29th August 1944 the Second Appellate Court of Pudukkottai gave a ruling that the right of a manager of a joint Hindu family to sell joint family property to discharge joint debts payable out of the joint estate was not ' property ' under section 2 (d) of the Provincial Insolvency Act and that, therefore, such right did not vest in the Official Receiver on the insolvency of such manager. As per the definition given under section 2 (d) of the Act, ' property ' includes any property in which or the profits in which any person has a disposing right which he may exercise for his own benefit. The Madras High Court, as per its decision on the 28th July 1942 reported in I.L.R. 1943 Madras 83 also held on the same lines that such right did not vest in the Official Receiver.

" Hence the amending Act XXV of 1948 was passed by adding section 28 (A) to the Provincial Insolvency Act. This did not apply to the State of Pudukkottai. It applied only to the other parts of the State. The Provincial Insolvency Act was made applicable to the merged territories of Pudukkottai on and from 1st April 1949 by virtue of an order issued under the Extra Provincial Jurisdiction Act by G.O. Ms. No. 1166, Home, dated 24th March 1949, and later by section 1 (2) of the Merged States (Laws) Act. On both these occasions, no modification of section 28 (A) was made. Since section 5 of Act LIX of 1949 and G.O. Ms. No. 1116, Home, dated 24th March 1949, repealed the corresponding laws prevailing there, it is found necessary to amend section 28. Now what is sought to be done under this Bill is to amend section 28 (A) by substituting ' 7th day of May

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1947' the date of the commencement of the Pudukkottai Insolvency Amendment Regulation XIII of 1947 for the words 'before the commencement of the Provincial Insolvency (Amendment) Act, 1948'. It is also sought to substitute 'the 29th day of August 1944', the day of the judgment of the Pudukkottai Second Appeal for '28th day of July 1942', the date of the Madras High Court judgment. This is a necessary amendment and I am sure there need not be any discussion or misapprehension about it."

MR. SPEAKER :—" I shall put the motion to the vote of the House. The question is—

' That the Provincial Insolvency (Madras Amendment) Bill, 1953, be taken into consideration at once.' "

The motion was put and carried.

Clauses 2 and 1 and the Preamble were separately put and carried.

* THE HON. SRI K. P. KUTTIKRISHNAN NAIR :—" Sir, I beg to move—

' That the Provincial Insolvency (Madras Amendment) Bill, 1953, be passed into law.' "

MR. SPEAKER :—" The question is—

' That the Provincial Insolvency (Madras Amendment) Bill, 1953, be passed into law.' "

The motion was put and carried and the Bill passed into law.

(5) THE MADRAS ESTATES (ABOLITION AND CONVERSION INTO
RYOTWARI) AMENDMENT BILL, 1953.

* THE HON. SRI M. A. MANICKAVELU NAICKER :—" Sir, I beg to introduce the Madras Estates (Abolition and Conversion into Ryotwari) Amendment Bill, 1953 and move—

' That the Bill be taken into consideration at once.'

" Sir, this is a simpler Bill than the one I moved a little earlier. The idea behind this Bill is this. For taking over the estates, compensation is given and that is calculated on a certain figure called the basic annual sum. Upon that the compensation is worked out. Now in working out the compensation in that way, in respect of t-enures, the under-tenures do not get any compensation at all because the proportion in which it is worked does not work out in such a way as to give any compensation. But the spirit of the Act and the Constitution is that some compensation should be given for the estates taken over. That is why we are now bringing in this amendment to see that at least some compensation is paid. This is provided in clause 2 of the Bill, that is, ' provided that the total amount to be deducted as aforesaid shall in no case exceed one-half of the aggregate of the net

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amounts computed in accordance with clauses (i) to (iii) of section 27, read with sections 28 and 29'. This means, that in calculating the basic annual amount, the rates of 'jodi', 'kattubadi' and other taxes are reduced. If this is done as originally proposed there is no amount left for paying compensation. Therefore now we say that that should be cut down only to half, that is, 50 per cent. In that case there will be some amount left to be paid as compensation. That is the object of this Bill."

* SRI VAVILALA GOPALAKRISHNAIAH :—" Sir, I move the following amendment :—

'That the Madras Estates (Abolition and Conversion into Ryotwari) Amendment Bill, 1953, be referred to a Select Committee.'

The implication of the amendment sought to be made by this Bill can be understood only if this Bill and the other are read together. Though the amendment appears simple, an attempt is made to bypass the Legislature by rushing through this Bill. Payment of compensation to the Zamindar is there already but now compensation is proposed to be paid to the inamdars also. By adopting an indirect method Government are trying to pay compensation to the inamdars also. That is why I want that this Bill must be referred to a Select Committee of this House."

* SRI S. RAMALINGAM :—" கனம் சபாநாயகர் அவர்களை ; கனம் ரெவின்யூ மந்திரி அவர்கள் கொண்டு வந்திருக்கக்கூடிய, அதாவது உடனேயே விவாதத்திற்கு எடுத்துக்கொள்ளவேண்டுமென்று சமர் பித்திருக்கிற இந்த மசோதாவை பொறுக்கக் கமிட்டிக்கு அனுப்பவேண்டுமென்று விரும்புவார்களில் நானும் ஒருவன். இந்த மசோதா ஜமீன்தார்களுக்கு நஷ்ட ஈடு கொடுக்கப்பொழுது அவர்களுக்கு எவ்வளவு கொடுக்க வேண்டுமென்று நிர்ணயிப்பதற்காக வந்திருக்கிறது. இந்த திருத்த மசோதாவை பொறுக்குக் கமிட்டிக்கு அனுப்பவேண்டுமென்று நான் ஏன் சொல்லுகிறேன் என்றால், இப்பொழுது ஜமீன்தாரி ஒழிப்பு முறை அமுலுக்கு வந்தபிறகு பல கிராமங்களில் ஜமீன் பிரதேசங்களில் வாழ்ந்து கொண்டிருந்த மக்களுக்கு மிகவும் துன்பம் ஏற்பட்டிருக்கிறது. ஜமீன், இலம், கிராமத்திலே பல ஆயிரக்கணக்கான வருஷங்களாக, அதாவது தலைமறை தலைமுறையாக சாதுபடி செய்துகொண்டிருந்த குடிமக்களுக்கு பல இடையூறுகள், கஷ்டங்கள் எல்லாம் ஏற்பட்டது. இதமாதிரியாக பல பாதகங்கள் ஏற்பட்டதன் காரணமாக, இந்தச் சட்டத்தை முதலில் கொண்டு வரும்பொழுது கனம் மந்திரி அவர்கள் இடையில் விவசாயிகளுக்கு, குடிமக்களுக்கு பாதகம் வராமலிருக்கவேண்டுமென்று ஆலோசித்துக்கொண்டு வந்திருப்பார்களேயானால் நான் இந்தத் திருத்த மசோதாவையும் இப்பொழுது ஆதரிக்கக் கடமைப்பட்டிருக்கிறேன். ஆகவே அவசரக் கோலமாகச் சட்டத்தைக் கொண்டுவருவது, உடனேயே அந்தச் சட்டத்திற்கு திருத்த மசோதா கொண்டுவருவது என்று இருந்தால் ஒவ்வொரு தருவையும் சாதாரண விவசாய மக்கள் பரிம துன்பத்தை எடுத்துச் சொல்ல என்னால் முடியாது. இதைப் பலமுறை எடுத்துச் சொல்லியும் கூட ஏதோ ஒரு சில நண்பர்களுக்கு—ஜமீன்தார்களுக்கு—நஷ்ட ஈடு கொடுக்கவேண்டுமென்ற உத்தேசத்துடன் கனம் மந்திரி அவர்கள் இந்தத் திருத்த மசோதாவைக் கொண்டுவந்தால் அதை என்னால் எதிர்க்காமல் எப்படி ஆதரிக்க முடியும்? அப்படியேயிருந்தாலும் இவ்வளவு அவசரமாக இதைக் கொண்டுவருவது சரியல்ல. ஜமீன்தார்களுக்கு வக்காலத்து வாங்கிக் கொண்டு ரனம் மந்திரி அவர்கள் இதைக் கொண்டுவந்து ஆதரிக்க வேண்டுமென்று கோருவதும் சரியல்ல."

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MR. SPEAKER :—“ நீங்கள் அப்படிச் சொல்லக்கூடாது.”

* **SRI S. RAMALINGAM :—** ‘மன்னிக்கவேண்டும். கனம் மந்திரி அவர்கள் இப்படி அவர்களுக்குப் பரிந்து பேசிக் கொண்டு இந்த மசோதாவை அவசரமாகக் கொண்டுவருவது சரியல்ல. இதிலுள்ள பல குறைபாடுகள் விவாதிக்கப்படவேண்டும்’ திருத்தப்படவேண்டும். ஆகவே இதை ஒரு டொறுக்குச் சமிட்டிக்கு அனுப்பவேண்டுமென்று நான் கேட்டுக்கொள்ளுகிறேன்.”

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p.m.**SRI C. V. K. RAO :—**“ Mr. Speaker, Sir, I move—

‘That the Madras Estates (Abolition and Conversion into Ryotwari) Amendment Bill, 1953, be circulated for eliciting public opinion.’

It is not such a simple Bill as the Hon. the Minister for Revenue would call it. It is stated in the Statement of Objects and Reasons that the intention underlying the Bill is that some amount by way of compensation should be paid in respect of every estate taken over under the Act. This means that more compensation should be paid to estate-holders. That is the object of this Bill. As a matter of fact, we from this side of the House have opposed any compensation being paid to these big zamindars who have already exploited enough poor tenants. Now by an under-hand means, the Government are trying to pay them more compensation by bringing in a measure like this. I suggest a very reasonable course that this Bill should be circulated among the people so that they can give their opinion and the Government also may come up before this House with the opinions of the people fully elicited. That is the object of my amendment.”

* **SRI K. GOVINDA RAO :—**“ Sir, I rise to second the amendment moved by my hon. Friend, Mr. C. V. K. Rao. I wish to make a submission here. With regard to zamindars, we have already been paying large sums of money by way of compensation. We have so many under-tenure estates in our districts of Visakhapatnam and Srikakulam where rich landlords, inamdars and landholders are trying to evict the peasantry and exploit them in the past few years, that is, ever since the Estates Abolition Act came into force. Specially in villages like Pandrangi, Bimlipatnam Taluk, the mokasadars are trying to evict by foul means all the peasants. In some cases, large tracts of land have been turned as their own private land and this is done in league with the village karnams who are recording in the village documents in favour of the mokasadars. By keeping large tracts of land as home-farm land, they are exploiting the peasantry sufficiently and there is no reason why we should immediately make a provision for compensation. Therefore, I feel that the Bill need not be rushed through now. Let it be circulated among the public and then we can take it up for consideration.”

* **THE HON. SRI M. A. MANICKAVELU NAICKER :—**
“ Sir, the amendments are in the nature of dilatory motions. But I sympathise with the hon. Members who have moved them because it is rather a difficult subject to understand. Even lawyers

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find it very difficult to understand the Act. The only objective of the Bill is this. Now under the Estates Abolition Act, we are committed to give some compensation to the landholders and this is done on a certain principle. Section 36 of the Act shows in what manner compensation is to be worked out. Now, if it is worked out in the manner suggested there, certain post-settlement inams or tenures do not get any compensation at all. That is, if we deduct things like jodi, kattubadi, etc., it amounts to no compensation at all. Therefore, we have decided to deduct only half of the amount, that is 50 per cent, so that they may get a small pittance of a compensation. That is the object of my Bill."

MR. SPEAKER:—"I shall put Mr. C. V. K. Rao's amendment to the vote of the House. The question is—

'That the Madras Estates (Abolition and Conversion into Ryotwari) Amendment Bill, 1953, be circulated for eliciting public opinion.'"

The amendment was put and lost.

MR. SPEAKER:—"I shall now put Sri Vavilala Gopalakrishnaiah's amendment to vote. The question is—

'That the Madras Estates (Abolition and Conversion into Ryotwari) Amendment Bill, 1953, be referred to a Select Committee.'"

The amendment was declared lost.

Sri Vavilala Gopalakrishnaiah demanded a poll. The Division Bell was rung and the amendment was again put to vote and declared lost.

SRI VAVILALA GOPALAKRISHNAIAH:—"I withdraw my demand for a poll."

MR. SPEAKER:—"The amendment is lost.

"Regarding the amendments given notice of by Sri Vemiah and Sri Kondiah, I must say that they are out of order because they seek to enlarge the scope of the Bill. If they want to change the definition and the Preamble, then it means the scope of the Bill is interfered with. So, I rule them out of order.

"Now, I am going to put the Preamble, and Clauses 1 and 2 to the vote of the House." 5-50 p.m.

Clauses 2 and 1 and the Preamble were separately put and carried.

THE HON. SRI M. A. MANICKAVELU NAICKER:—"Sir, I beg to move—

'That the Madras Estates (Abolition and Conversion into Ryotwari) Amendment Bill, 1953, be passed into law.'"

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MR. SPEAKER :—“ The motion is—

‘ That the Madras Estates (Abolition and Conversion into Ryotwari) Amendment Bill, 1953, be passed into law.’ ”

* SRI VAVILALA GOPALAKRISHNAIAH :—“ Sir, the Hon. Minister referred to sections 27, 28 and 29 of the Act. Section 27 reads as follows :—

‘ 27. In the case of a Zamindari estate, the basic annual sum shall be the aggregate of the sums specified below :—

(i) One-third of the gross annual ryotwari demand in respect of all lands in the estate (excluding lanka lands) in respect of which any person other than a landholder is entitled to a ryotwari patta, as ascertained under section 28, less the deductions specified therein.

(ii) One-third of the gross annual ryotwari demand in respect of

(a) all lanka lands in the estate in respect of which a person other than a landholder is entitled to a ryotwari patta, and

(b) all lanka lands which in the opinion of the Government are sufficiently permanent (that is to say, similar to the permanent portions of Government lanka lands) to enable the levy thereon of ryotwari assessment, as ascertained under section 28, in so far as it may be applicable, less the deductions specified therein ;

(iii) one third of the average net annual income derived from all lanka lands in the estate other than those—

(a) in respect of which a ryot or a landholder is entitled to a ryotwari patta, and

(b) which in the opinion of the Government are sufficiently permanent (that is to say, similar to the permanent portions of Government lanka lands) to enable the levy thereon of ryotwari assessment, as ascertained under section 28 less deductions specified therein ;

(iv) One-third of the average net annual miscellaneous revenue derived from all other sources in the estate specified in section 3, clause (b), but not including lands in respect of which a landholder is entitled to a ryotwari patta as ascertained under section 29, and

The section goes on and the next section reads—

‘ The gross annual ryotwari demand in respect of the lands referred to in section 26, clauses (i) and (ii) shall be the total of the ryotwari assessments.’ ”

Now in the amendment they also refer to the resettlement. The resettled estates are covered by the present Act. This Bill is not going to benefit the peasants. It may benefit some zamindars or inamdars. Because this Bill is likely to benefit the zamindars or the inamdars, I oppose the motion.”

SRI PILLALAMARRI VENKATESWARLU :—“ Sir, the Hon. Minister while explaining the objects of the Bill said that it might be very difficult even for a lawyer to understand this simple Bill. In a way it may be correct. But what we expected from the Hon. Minister was that he might have given us certain figures and details about this Bill from which at least we could have understood that the Hon. Minister at least has understood the implication of the amendment proposed to be made by the Bill that he has introduced. But as he has not done so, we are led to feel that the Hon. Minister also is under some confusion and his explanation of the proposed amendment only made confusion worse confounded. So I would appeal to the Hon. Minister to

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come forward with some figures and details now at least and explain the implication of the amendment. He must be able to tell us how many persons are going to be affected by this Bill and in how many cases the rent or the amount would be reduced either by half or less by giving effect to this amendment. He should also supply us at this stage figures as to how much the Government are going to gain or lose by accepting this amendment. Unless these details are furnished it would be difficult to accept the Bill as it is. That is the reason why hon. Members want that the Bill should be referred to a Select Committee, knowing full well that the Hon. Minister is not in a position to supply these details. It was said that this is a simple Bill. It appears to be a simple one, of course. But that does not mean that the House is not entitled to know the details. So even at this stage I would request the Hon. Minister to adjourn further consideration of this Bill to to-morrow morning, come before the House with details and get through the Bill to-morrow. Sir, I submit that unless the details I have referred to are made available to the House it will be difficult to accept the Bill as it stands."

* SRI T. NAGI REDDI :— Sir, having heard hon. Members Messrs. Gopalakrishnaiah and Venkateswarlu I have also a few comments to make. I confess I do not know anything about these inams or estates because they are out of my purview. I have not lived in areas where there are inams or estates or studied these problems to know anything about them. Even hon. Members, I now find, who are familiar with those problems and have studied the many intricacies of this Bill are not able to understand the implications of this amendment, or the provisions of the Act passed previously. So it becomes essential that we have to adopt a certain method in regard to such measures, whereby hon. Members are enabled to understand the principles underlying the measures and Bills before they are asked to accept or reject them. The hon. Member Sri Venkateswarlu said that the Hon. Minister himself has not understood the implications of the Bill. The Hon. Minister himself says that it would be difficult even for a lawyer to understand the Bill properly. So we, Members of this House, who have a particular duty to discharge hope that the Hon. Minister at least in future will take into consideration our difficulty and when coming before this House with such technical Bills will place before us a certain amount of understandable material together with the Bill, which will give a common man's point of view for the understanding of the Bill. This will help us, and not only help us but also help Government in getting some constructive criticisms which could be adopted by them. If the proposition to refer the Bill to a Select Committee had been accepted, the Committee would have gone into details and explained the whole matter. Probably the Secretary of the Department could have explained the provisions of the Bill very well. The Select Committee could have gone into the Bill in one or two hours and suggested amendments if necessary. If not the Bill could be brought back before the

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House in a day or two for the acceptance of the House. That would have helped us very much in the matter. I hope our experience to-day and in the past would help us in future to adopt certain methods for the proper understanding of the Bills brought before the House. We discuss and pass Bills and make them laws without understanding them. Probably they will have very serious repercussions on the people concerned. Therefore I hope that my suggestion would be taken into consideration by the Government."

* THE HON. SRI M. A. MANICKAVELU NAICKER :—" Sir, I am thankful for the remarks made by the hon. Leader of the Opposition (Sri T. Nagi Reddi). But the trouble is while I am quite clear in what I have said the hon. Members are determined not to understand it. That is the whole trouble. I request them to have an open mind and try to understand and not try to not understand. I may briefly give again the object of the Bill. We have to give some compensation under the Act for taking over these estates. That is worked out under section 36 of the Act. In working out compensation for certain post-settlement inams we came across a number of cases where there was no compensation payable at all. Now the Constitution says that we cannot expropriate. We have to give some compensation. Therefore we have brought this amendment by which we can give some small compensation. It would be a very small amount, because these 'jodi' and 'kattubadi' are very little. (An hon. Member: 'What are they?') They are taxes. According to the amendment, we adopt a particular method and say half of it may be reduced so that these poor inamdars may have some compensation. That is all that is proposed to be done by this amendment. I think the inamdars may not get much. We are only fulfilling the letter of the law in the Constitution."

(The hon. Member Sri K. V. Ramesam rose in his seat.)

MR. SPEAKER :—" The hon. Member cannot speak now. The Hon. Minister is replying to the debate."

AN HON. MEMBER :—" He is only asking for some information."

6 p.m.

* SRI K. V. RAMESAM :—" Mr. Speaker, on a point of information. I request the Hon. Minister for Land Revenue to state whether the minor inams also are included in the term 'under-tenure estate'. When the main estate is taken over under section 10, along with it the minor inams which are part of the main estate are also abolished. Therefore I would like to know whether the minor inamdars will be entitled to compensation. Sir, I will explain my point clearly. The Vizianagaram estate was in existence before 1802. Subsequent to 1802, the Vizianagaram estate made certain grants called 'minor inams' or 'darimila inams'. When the main estate has gone, these minor inams also must necessarily go along with the main estate, in which case the minor inamdars must be given some compensation."

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If the minor inams are included in the term 'under-tenure estate,' the Hon. Land Revenue Minister will have to make it clear that the minor inams also are abolished by reason of the abolition of the major estate and that they are also entitled to compensation. This is a point in which several hon. Members are interested. I therefore request the Hon. Minister for Land Revenue to kindly explain whether the minor inamdars also are entitled to compensation and whether their inams are abolished along with the major estate."

* THE HON. SRI M. A. MANICKAVELU NAICKER :—" The inams that will not come within the scope of this Bill are the 1936 inams."

MR. SPEAKER :—" The question is—

' That the Madras Estates (Abolition and Conversion into Ryotwari) Amendment Bill, 1953, be passed into law.' "

The motion was put and carried and the Bill was passed into law.

(6) THE MADRAS ESTATES LAND (REDUCTION OF RENT) AMENDMENT BILL, 1953.

* THE HON. SRI M. A. MANICKAVELU NAICKER :—" Mr. Speaker, I beg to introduce the Madras Estates Land (Reduction of Rent) Amendment Bill * 1953, and move—

' That the Bill be taken into consideration at once.'

Sir, an ' estate ' is defined in the Estates Land Act and when any estate is to be taken over, the Special Officer goes into the question and decides whether an estate comes under the definition of ' estate ' as per the Estates Land Act or not. Sometimes he decides wrongly and we have to rectify the wrong. In some cases the High Court also decides that a particular estate does not come under the definition of ' estate ' and that the Government have no power to notify. In order to remedy similar defects, this Bill is brought forward. Under the existing Act, we have no power and under this Bill we want to take that power to cancel a wrong notification and correct errors."

MR. SPEAKER :—" Motion moved—

' That the Madras Estates Land (Reduction of Rent) Amendment Bill, 1953, be taken into consideration at once.' "

* SRI T. NAGI REDDI :—" Sir, when a similar Bill was brought before the House previously, we were given an assurance by the Hon. Chief Minister that it might not be brought before the House for discussion at all. I would like to know what changes have been made in this Bill for the Government to bring it before the House now because I fear that the scope of the Bill has been reduced to the definition of an ' estate '. The scope of the Bill that was presented to us previously was not that. So I would like to

* Published in the Fort St. George Gazette, dated 4th March 1953.

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ask the Hon. Minister for Land Revenue to explain the difference between the Bill that was given to us previously and the present Bill. The Hon. Chief Minister also assured us that he would re-consider the whole question. These are the few points on which I expect a clarification from the Hon. Minister for Land Revenue so that we would be able to understand the scope of the Bill."

* THE HON. SRI M. A. MANICKAVELU NAICKER :—" Sir, the other issue about changing or amending the definition of the word 'estate' is still under the consideration of the Government and we propose to bring an amending Bill in order to clarify the difference and bring in some more estates under the definition of 'estate'. Meanwhile we want power to cancel and correct errors. Under the existing Act, we have no power to cancel. Therefore this Bill is brought forward to give power to the Government to cancel a wrong notification and also correct errors."

* SRI VAVILALA GOPALAKRISHNAIAH :—" Mr. Speaker, Sir, I beg to move—

'That the Madras Estates Land (Reduction of Rent) Amendment Bill, 1953, be referred to a Select Committee.'"

The amendments were duly seconded.

SRI K. GOVINDA RAO :—" Mr. Speaker, I beg to move—

'That the Madras Estates Land (Reduction of Rent) Amendment Bill, 1953, be circulated for the purpose of eliciting public opinion.'"

* SRI VAVILALA GOPALAKRISHNAIAH :—" Sir, I second the amendment moved by my hon. Friend Sri K. Govinda Rao."

MR. SPEAKER :—" The main motion and the amendments are before the House for discussion."

* SRI K. GOVINDA RAO :—" Mr. Speaker, there was a lot of dispute over this Bill when it was brought in the previous session. The Hon. Chief Minister gave a categorical assurance that this Bill was not going to come up before this House except in the matter of amplifying the scope of the word 'estate.' Today we are taken unawares by the Hon. Minister for Land Revenue in introducing this Bill. If the Government are serious about it, I would request the Hon. Minister for Land Revenue to take this up tomorrow as there are many disputable points on which clarification is necessary. I hope the Hon. Minister will accept it."

* THE HON. SRI C. RAJAGOPALACHARI :—" Sir, I would like this to be put off to tomorrow. I want to be sure whether this is exactly the same Bill on which I gave the assurance. I am afraid there may be some mistake. The Bill is rather complicated and it may be taken up tomorrow. I move—

'That the further consideration of the Bill be postponed to tomorrow.'"

The motion for postponement was put and carried.

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MR. SPEAKER :—" Now the Hon. Minister for Rural Welfare will introduce the Madras Entertainments Tax (Amendment) Bill, 1953."

(7) THE MADRAS ENTERTAINMENTS TAX (AMENDMENT) BILL, 1953.

* THE HON. SRI S. B. P. PATTABHI RAMA RAO :—" Mr. Speaker, Sir, I beg to introduce the Madras Entertainments Tax (Amendment) Bill, ^{6-10 P.M.} 1953, and move—

— *' That the Bill be taken into consideration at once.'*

While moving this motion, I would like to point out that as a general rule section 13 (1) of the Madras Entertainments Tax Act, 1939 (Madras Act X of 1939) provides for payment of 90 per cent of the entertainments tax to the local authority having jurisdiction over the area in which the entertainments are held and further gives power to the Government to fix the proportions in which the proceeds of the tax should be distributed between such local authority and neighbouring local authorities; and section 13 (2) makes provision for Government to determine the sums which should be paid to the local authorities in the State. As the determination of the Government under section 13 (2) has been made final, it has not been found possible to vary it, although circumstances do arise from time to time, which make such variation essential and equitable in particular cases, for instance, where there has been a mistake or where a material fact has not been brought to notice or where new circumstances have arisen. The Bill amends section 13, sub-section (1) so as to enable the Government in the cases mentioned above, to modify any order assigning the portion of the proceeds of the tax either entirely to a local authority or proportionately to local authorities; and provides that no order under section 13 (1) relating to any local authority should be modified after the expiry of two years from the end of that period. In view of these amendments, it is considered unnecessary to retain existing sub-section (2) of section 13 relating to the working out of the actual sums payable to local authorities. Provision has also been made for the recovery by the Government of any amount paid in excess to local authorities."

MR. SPEAKER :—" Motion moved—

' That the Madras Entertainments Tax (Amendment) Bill, 1953, be taken into consideration at once.'"

* SRI VAVILALA GOPALAKRISHNAIAH :—" Mr. Speaker, Sir, I move—

' That the Madras Entertainments Tax (Amendment) Bill, 1953, be referred to a Select Committee.'"

The amendment was duly seconded.

SRI S. RAMALINGAM :—" Mr. Speaker, I have also given notice of a similar amendment."

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SRI S. VEMIAH :—" Mr. Speaker, Sir, I have also given notice of an amendment and I move—

'That the Madras Entertainments Tax (Amendment) Bill, 1953, be circulated for eliciting public opinion.'"

The amendment was duly seconded.

MR. SPEAKER :—" The amendments are before the House for discussion."

* SRI VAVILALA GOPALAKRISHNAIAH :—" Mr. Speaker, Sir, the whole day we have been engaged in dealing with technical things and we are not able to seriously address ourselves to them; we have not had any relaxation, not in the sense that we had not had any amusement but that we have had to devote ourselves to heavy work, things which require much experience and we feel not so much equal to it and we are afraid that we are not so much experienced."

MR. SPEAKER :—" The Bill is about entertainments and that is the relaxation."

SRI T. NAGI REDDI :—" The Bill is not really entertaining but it is taxing."

* SRI VAVILALA GOPALAKRISHNAIAH :—" Though the Bill is an Entertainments Bill, it does not entertain us but it taxes us."

MR. SPEAKER :—" Therefore the hon. Member wants consideration of the Bill to be postponed till tomorrow? "

* SRI VAVILALA GOPALAKRISHNAIAH :—" Yes, Sir, I request the Chief Minister to have the discussion tomorrow. It is really taxing our brain."

* THE HON. SRI S. B. P. PATTABHI RAMA RAO :—" Mr. Speaker, it is really a very simple measure. Where a *bona fide* mistake has been committed power has been taken to rectify it because such power was not there previously. In a particular case, the division of the proceeds from the Guindy race came in between the Corporation of Madras and the Chingleput district board. The jurisdiction of the Madras Corporation has been extended and the point in question was as to whom the entertainments tax collected in the Guindy races was to be paid and this section stood in the way of deciding the matter. Similarly also when a touring cinema pitches its tent in a panchayat area it has to be determined whether the whole tax should go to that area or whether it is to be shared with another. When a *bona fide* mistake arises, it has to be rectified in the interests of the local authorities concerned and we find there is no provision enabling this to be done in the present Act. A provision has been made here, if it is a formal matter and a simple measure and it need not tax the brain of my Friend. It is not a matter of taxation of the localities concerned. I hope the hon. Member can give me that much of trust and allow this Bill to be passed."

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SRI C. V. K. RAO :—“ This does not seem to be so simple as all that and I feel there must be a full dress debate upon it and we require much time.”

* THE HON. SRI C. RAJAGOPALACHARI :—“ As the Minister in charge of the Bill has explained, this is merely to correct errors and the law is sought to be amended for that purpose. He has explained the position fully, and I do not think there is any difficulty. There is no catch in it.”

SRI M. KALYANASUNDARAM :—“ In the first part of the statement the Hon. Minister referred to disputes arising between the local board and the Government in the matter of the proportion of the tax.”

THE HON. SRI S. B. P. PATTABHI RAMA RAO :—“ Two local authorities, that is, the Corporation of Madras and the Chingleput District Board.”

* SRI VAVILALA GOPALAKRISHNAIAH :—“ I want the Hon. Minister to explain to the House where the mistake has been committed. The same position has been taken up with reference to the Land Acquisition Bill. It would be helpful to the people outside to know under what circumstances this has been rendered necessary. I request the Hon. the Chief Minister to let us adjourn to-day and have this item of business for tomorrow.”

THE HON. SRI C. RAJAGOPALACHARI :—“ Sri Gopala-krishnaiah is presumably tired and I would suggest to him to take a little rest for a few minutes.”

* SRI K. KRISHNA RAO :—“ Mr. Speaker, Sir, this Bill and the Rent Reduction Bill have got one peculiar feature, namely, if any *bona fide* mistake, that word is not mentioned here, is made or is found out, then there should be power to rectify the mistake. I think the Government have got power to rectify mistakes, wherever they might arise; that is their inherent power. I feel that there must be something behind this particular move; I am in fact entitled to view these things with suspicion. In the case of the Rent Reduction Bill, I think that is one way of seeking to deny occupancy right to those people who are already having it and secondly people whose rents had been reduced will now be told to pay heavier rent. So also I feel with reference to this Bill. I raise this suspicion and the Government are here to explain these things. My fear is that the Government are going to deny to the local authorities the share to which they are entitled and secondly the Bill wants to take into account circumstances which arose after the incidence of the tax occurred. As I see from the Bill circumstances which occurred after the date of the particular show for which collections had been made, may also be the reason for changing the order of allocation to particular authorities. For example, for an entertainment that takes place on, say, the 28th of a particular month the circumstances that come about on the 29th or the 30th of the month will be taken into

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consideration, under the Bill to decide the amount or the basis of allocation of the amount collected for that entertainment. This, I think, is not fair in law. That is how I look at the Bill. I do not know why such Bills are coming now. I do not think this kind of power to alter has ever been in the Statute Book before. Let me say frankly that all these things seem to be done with an ulterior motive. Two Bills have come like this. I would like to be assured about the peculiar reasons which compelled the Government to come forward with Bills of this kind. I would like to be enlightened on this point before the Bill is passed."

* SRI S. DEIVASIGAMANI:—"Mr. Speaker, Sir, it is an important measure in so far as the finances of the Corporation of Madras and the Chingleput District Board are involved. I would like to know who stands to gain. Is it the Corporation or the District Board? If it is a matter of dispute between these two bodies, it is the Court which ought to decide the matter and we, the legislators, have no say in the matter. I would like the Hon. Minister to enlighten me on this point before the Bill is passed into an Act."

* SRI K. V. RAMESAM:—"Mr. Speaker, if it is a *bona fide* mistake, nobody will stand in the way. But, as pointed out by my hon. Friend, Mr. Krishna Rao, there is some difficulty with reference to the allocation of money between local bodies. If the intention of the Hon. Minister is to regulate the payment of entertainments tax to Local Bodies, then it is a question which vitally affects the financial position of the Local Bodies. Sir, it is already a known fact that 90 per cent of the tax collected will go to Local Bodies and there is no difficulty about that. So far as the percentage of tax payable to Local Bodies is concerned, the Government should interfere only to that extent, viz., that they should collect the entire tax and pay 90 per cent of the tax to the Local Bodies. Only if they try to reduce or enhance the percentage of tax payable to Local Bodies, difficulties would crop up. In that case, there should not be any discretion left in the hands of the Government in the matter of regulating the tax payable to Local Bodies. Therefore, the Bill may be left over for further discussion to-morrow as it affects financial position of many Local Bodies."

* THE HON. SRI C. RAJAGOPALACHARI:—"Sir, I am rising to speak only because Mr. Krishna Rao has frankly said that he generally suspects the Government not only in respect of this particular Bill but in respect of other Bills also. I want to answer only that and I will leave it to my colleague to explain the broad principles of the Bill."

"There is no need for coming to the Legislature to correct a mistake if the Government could themselves do it. But unfortunately when the House has given certain powers to the Government to do a certain thing and they have done it, they cannot correct it unless there is a provision like this, inserted in

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the Act itself. Now, let me assure the hon. Member who, according to his statement generally suspects Government objects and others who perhaps suspect also, that here is a case where it is only the division of money due between one local body and another. This has nothing to do with the Government's share. Sir, many of the rural cinemas are run in between two rural panchayat areas or a panchayat area and a town and so they will have to find out how the entertainments tax should be distributed as between the District Board, the Panchayat, the Municipality and the like, and in that process the Government may commit a mistake. It is only to rectify any such mistake and in order to make a better and juster allocation of money as between two local bodies, the Government want powers. I hope hon. Members will accept this."

* THE HON. SRI S. B. P. PATTABHI RAMA RAO :—" Mr. Speaker, Sir, as the Hon. Chief Minister has already explained to the House, we are not actually asking for more share in the entertainments tax. Ninety per cent of the entertainments tax goes to Local Bodies and only 10 per cent is retained by the Government towards their collection charges. Even this 10 per cent hardly covers the collection charges. That apart, as I have already explained, in some cases a peculiar situation has arisen wherein the entertainments tax due to a particular local body in a particular place has, by mistake, been paid to another local body. Under the present Act, we have no authority to rectify the mistake and ask the local body which received the amount by mistake to repay it to the local body which ought to get it.

" Sir, as regards the point raised by my hon. Friend Mr. Deivasigamony, I may tell him that a situation had arisen some years ago, perhaps in 1950 or 1951. That situation could not be altered because there is no provision in the Act itself. As I explained before the Chingleput District Board was getting the entertainments tax out of the Racing in Guindy till Guindy came within the jurisdiction of the Corporation of Madras. But unfortunately the Chingleput District Board did not know that it came within the jurisdiction of the Corporation and they made a provision for this amount also in their budget. From the time it came within the jurisdiction of the Corporation, the Corporation is getting the entertainments tax. The District Board could not be reimbursed the amount provided in their budget as there is a technical difficulty involved in it, and we could not force the Corporation to pay back the amount to the District Board. We could only persuade the Corporation for there is no provision in the Act by which we can make them pay it. Similar situations do arise in some villages where cinemas are popular and where touring cinemas are being put up in various places. So, it is only with a view to rectify the defect and see that the share due to a particular local body is not wrongfully paid to another, we have brought forward this Bill. The Government do not take anything more than 10 per cent of the tax which only goes towards collection charges.

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“I must also tell my hon. Friend Mr. Krishna Rao that actually the time-limit we have fixed for rectifying a mistake is only two years from the date when the mistake is committed. Within those two years, we will rectify the mistake. I may assure the House that this amending Bill is intended only to meet a situation for which provision has not been made in the original Act itself and I request the House to pass this amending Bill.”

(Sri K. Krishna Rao rose from his seat . . .)

MR. SPEAKER :—“The hon. Member has no right of reply after the Hon. Minister has replied.”

SRI T. NAGI REDDI :—“Probably he wants some information from the Hon. Minister.”

SRI K. KRISHNA RAO :—“On a point of information, Sir. As I have already said, in no other Bill on the Statute Book, do we find similar provisions. Even in the Acts like the Madras Estates Land Act, we do not find such a provision. My question as to why there is need for such a provision, has not yet been answered.”

* THE HON. SRI S. B. P. PATTABHI RAMA RAO :—“I am sorry my hon. Friend did not understand me properly. I have answered his point. When a dispute arises as to the share of the entertainments tax as between two local bodies, under the present Act it is not possible for the Government to settle it. It is only to settle such disputes and rectify mistakes, if any, the Government take power under this Bill.”

MR. SPEAKER :—“Is the hon. Member Mr. Vavilala Gopalakrishnaiah pressing his amendment?”

SRI VAVILALA GOPALAKRISHNAIAH :—“I am not pressing it.”

MR. SPEAKER :—“Is the hon. Member Mr. Vemiah pressing his amendment?”

SRI S. VEMIAH :—“No, Sir, I am not pressing it.”

The amendments of Mr. Vavilala Gopalakrishnaiah and Mr. Vemiah were, by leave, withdrawn.

MR. SPEAKER :—“The question is—

‘That the Madras Entertainments Tax (Amendment) Bill, 1953, be taken into consideration.’”

The motion was put and carried.

Clause 2.

MR. SPEAKER :—“The motion is—

‘That clause 2 do stand part of the Bill.’”

SRI VAVILALA GOPALAKRISHNAIAH :—“We shall now adjourn as it is 6-30 p.m.”

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THE HON. SRI C. SUBRAMANIAM :—“ After this Bill is passed, we shall adjourn.”

SRI C. V. K. RAO :—“ Mr. Speaker, Sir, we have already spent a good deal of time over the necessity of this Bill being discussed now itself and I do not know how much more time will be needed to go into the details of this Bill.”

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MR. SPEAKER :—“ It all depends upon the hon. Member. If he does not move his amendment, I will put the Bill to the vote of the House.”

SRI C. V. K. RAO :—“ Sir, I still hold that the Bill is not so simple as this.”

MR. SPEAKER :—“ Let the hon. Member come to his amendment and say whether he is moving it or not.”

SRI C. V. K. RAO :—“ Sir, I am moving my amendment. My amendment reads as follows :—

- ‘ (i) For the words “ ten per cent ” wherever they may occur in the Bill, substitute the words “ five per cent ” ;
- ‘ (ii) For the words “ ninety per cent ” wherever they may occur in the Bill, substitute the words “ ninety-five per cent ” .’

“ The Hon. the Minister for Rural Welfare said that this Bill is intended only to settle any dispute as regards the jurisdiction of two local bodies. The Government are now allotting 90 per cent of the entertainments tax to the Local Boards and the question at issue is, how much of this 90 per cent is to be given to Local Board X or Local Board Y. For settling this point the Government have brought forward this Bill. My amendment is to the effect that the Government are not entitled to take 10 per cent of the entertainments tax simply because they are trying to sit in judgment over the allocation of the 90 per cent of the tax as between Local Board X and Local Board Y. The Local Boards themselves are responsible for the cleanliness of the area and for the maintenance of the public health of the places in their area where these entertainments are held and as such the Local Boards should be entitled to the whole amount of the entertainments tax. As things are at present the revenues of the Local Boards are meagre and they are not able to do any good to the people. The Government now want to take away 10 per cent of the tax on entertainments.”

THE HON. SRI C. SUBRAMANIAM :—“ Sir, on a point of order, this amendment is quite out of order.”

MR. SPEAKER :—“ Yes, I am looking at the Bill. I also feel that it is not in order.”

* THE HON. SRI C. SUBRAMANIAM :—“ The amendment does not deal with the share as between two local bodies but has

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the scope of seeking to amend the original Act itself. The Government collect the entertainments tax and as collection and administrative charges, the Government take ten per cent and the other ninety per cent goes to the local body concerned. Now, the hon. Member wants to change this 90 per cent into 95 per cent and the Government's share from 10 per cent to 5 per cent. It is completely out of order."

SRI C. V. K. RAO :—" I will make myself clear, Sir. Sub-section (2) of section 13 of the Madras Entertainments Tax Act lays down that 10 per cent should go to the Government and 90 per cent should go to the local body concerned. In the Statement of Objects and Reasons it is said that there is no change in sub-section (2) of section 13."

MR. SPEAKER :—" The hon. Member cannot seek to change the original Act."

SRI C. V. K. RAO :—" Sir, I think we have to change that section also."

MR. SPEAKER :—" The hon. Member cannot change the original Act. I, therefore, rule the amendment out of order. I will now take up the amendment of hon. Member, Sri K. Krishna Rao. The amendment itself is not clear to me."

SRI K. KRISHNA RAO :—" Mr. Speaker, Sir, I wanted the third clause to be taken out because it is sought to take into consideration circumstances which arise since the order has been passed."

MR. SPEAKER :—" There are only two clauses. Where is the third clause?"

SRI K. KRISHNA RAO :—" Sir, my amendment is to remove item (3) in the proviso added by sub-clause (1) of clause 2. The amendment is—

'Omit item (3), namely, 'any new circumstances have arisen since the order was passed which make it expedient to modify it,' and to insert in its place the following proviso :—

'Provided that such modification shall not have the effect of reducing the share of a local authority or local authorities to an amount in any way less than ninety per cent of the proceeds of the tax in any year, and.'"

SRI VAVILALA GOPALAKRISHNAIAH :—" Sir, I second the amendment."

MR. SPEAKER :—" The motion is—

'That item (3) of the new proviso added by sub-clause (1) of clause 2 of the Bill, namely, 'any new circumstances have arisen since the order was passed which make it expedient to modify it,' be omitted,

and the following proviso be inserted in its place :—

'Provided that such modification shall not have the effect of reducing the share of a local authority or local authorities to an amount in any way less than ninety per cent of the proceeds of the tax in any year; and'."

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* THE HON. SRI S. B. P. PATTABHI RAMA RAO :—“ Sir, this particular item has been introduced in view of the circumstances that have arisen, as I have already explained, in regard to the Madras Corporation. Originally, the Madras Corporation did not have its jurisdiction extended over Guindy. In the new circumstances under which its jurisdiction was extended, the Guindy Races have been brought under the Corporation of Madras. This item in the proviso has been included to cover cases where a municipality may extend its jurisdiction and, in the new circumstances, there may be a clash with a neighbouring local authority. Sir, I think this amendment is unnecessary.”

MR. SPEAKER :—“ As the hon. Member is not withdrawing his amendment, I will put it to the vote of the House. The question is—

‘ That item (3) of the new proviso added by sub-clause (1) of clause 2 of the Bill, namely, ‘ any new circumstances have arisen since the order was passed which make it expedient to modify it,’ be omitted,

and the following proviso be inserted in its place :—

‘ Provided that such modification shall not have the effect of reducing the share of a local authority or local authorities to an amount in any way less than ninety per cent of the proceeds of the tax in any year; and ’ ”

The amendment was put and lost.

Clause 2 was put and carried.

Clause 1 was put and carried.

The Preamble was put and carried.

THE HON. SRI S. B. P. PATTABHI RAMA RAO :—“ Sir, I move—

‘ *That the Madras Entertainments Tax (Amendment) Bill, 1953, be passed into law.* ’ ”

MR. SPEAKER :—“ The question is—

‘ That the Madras Entertainments Tax (Amendment) Bill, 1953, be passed into law ’.”

The motion was carried and the Bill was passed into law.

MR. SPEAKER :—“ The House will now adjourn and meet again at 8-30 a.m. to-morrow.”

The House then adjourned.



மாண்புமிகு பேரவைத் தலைவர்

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